

BUDGET & FINANCE COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Budget & Finance Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on Tuesday, March 8, 2005.

MEMBERS PRESENT:

Leg. Michael Caracciolo, Chairman
Leg. Angie Carpenter, Vice•Chairman
Leg. Daniel P. Losquadro
Leg. Cameron Alden
Leg. William J. Lindsay
Leg. Peter O'Leary
Leg. Ricardo Montano (not present)

ALSO IN ATTENDANCE:

Mea Knapp, Counsel to the Legislature
Ian Barry, Assistant Counsel to the Legislature
Ilona Julius, Deputy Clerk
Jim Spero, Director of Budget Review
Robert Lipp, Budget Review
Gail Vizzini, Deputy Director of Budget Review
Marie Ammirati, Aide to Leg. O'Leary
Carl Yellon, Aide to Leg. Kennedy

Doug Sutherland, Aide to Leg. Carpenter
Ben Zwirn, Assistant Deputy County Executive
Bob Bortzfield, Budget Office, County Executive
Jeanine Dillon, County Executive's Office
Jacqueline Caputi, Assistant County Attorney
Frank Tassone, Aide to Majority Leader
Linda Burkhardt, Chief of Staff, PO's Office
Ann Abel
Anita Fleishman
Andy Breslow
Peter Quinn
Phil Cardinale
Judy Pannullo
John McElhone, Chief of Support Services, SCPD

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

(THE MEETING CONVENED AT 9:37 AM)

CHAIRMAN CARACCILOLO:

The Chair would like to call the Committee to order. Would everyone please rise for the Pledge of Allegiance to be led by Legislator Lindsay.

(SALUTATION)

CHAIRMAN CARACCILOLO:

Thank you. You may be seated. Good morning and welcome to all. I see I have the Supervisor from the great Town of Riverhead here. Good morning, Phil. And we have some cards. So, I will •• Anita Fleishman and Andy, did

you want to speak together?

MS. FLEISHMAN:

I'll just speak. Could I speak from here?

CHAIRMAN CARACCILOLO:

No, right up here. Come up to the table with the microphones.

MS. FLEISHMAN:

Good morning. My name is Anita Fleishman. I'm the Executive Director of the Pederson Krag Center. And I am here this morning to thank you for considering item number 1094 and to encourage your adoption of it. It is critical for the operation of the Pederson Krag Mental Health Clinic in Wyandanch for this to be approved. Money is sorely needed. I'm here to answer any questions you might have with regard to it and just to thank you for your input.

CHAIRMAN CARACCILOLO:

Thank you. Legislator Lindsay.

LEG. LINDSAY:

Yeah, I saw the resolution. And could you explain what's behind it, why you're moving money from Smithtown to Wyandanch? Just for my information.

MS. FLEISHMAN:

Certainly. The money was originally put back into the budget for a program that had been defunded last year. And that was for the Act Teams that operate in Suffolk County. The money had been replaced to the budget by the Legislature prior to the state raising the Medicaid rate for reimbursement for the Act Teams. When the rate had been lowered, the Pederson Krag Center operations that were necessary to not suffer a fiscal deficit •• so when the rate increase came, it wasn't necessary for us to apply it to this program, but to apply it to the Wyandanch Mental Health Clinic which we had taken over from Family •• Children and Family Services, which closed •• which had its operating license taken away from them. And we began a mental health program using their operating license in Wyandanch. And

that program had been very poorly funded. And we felt that the revenues •
• the extra revenues could certainly be used there to support the population in that area.

CHAIRMAN CARACCILO:

Any other questions? Thank you very much.

MS. FLEISHMAN:

Thank you.

CHAIRMAN CARACCILO:

Next speaker is Anne Abel. Good morning, Anne.

MS. ABEL:

Good morning. I'm Anne Abel. I am the Treasurer of the Association of Municipal Employees. And what you're being handed is actually a letter that was written by Cheryl Felice. And I just wanted to read into the record our comments. This is regarding Introductory Resolution 1140.

"As a representative of the largest union in Suffolk County government, I'm here to voice opposition to Introductory Resolution 1140 concerning the elimination of the home fuel tax. The union takes this stand on behalf of nearly 7,000 workers in Suffolk County who were being forced to work with the devastatingly declining work force since January of 2004. This legislation, which we firmly stand against, proposes to fund the budget shortfall with strict attrition policy eliminating even more vacant positions. Our membership cannot suffer any further attacks on our work force. We can no longer do more with less and we remind the Legislature and the County Executive that AME members are assets to be developed, not costs to be cut.

It was encouraging to learn that Suffolk County is now in talks with the Long Island Power Authority to offer our County an Energy Savings Program. As you know, the union presented a comprehensive budget analysis to the Legislature and to the executive branch for each of the last two years. In our review we suggested such a plan. If our suggestions had been taken seriously when they were offered, perhaps legislation such as IR 1140 would

not have been necessary. All branches of government should work together and accept input from the work force and its representatives. Together we can deliver many improvements and service to Suffolk County residents and taxpayers that we will all be proud of. AME members are taxpayers, too. And we are the force that makes it happen in Suffolk County. We have in the past and we continue to request that you remain open•minded to the cost savings suggestion that we bring forward. You and your constituents will certainly benefit. In conclusion, we ask that you reject Introductory Resolution 1140."

CHAIRMAN CARACCILOLO:

Thank you, Anne. And before the Chair recognizes other members, just a simple question. How are negotiations going along? When did they commence, how many meetings have there been, when did the contract expire?

MS. ABEL:

The contract expired December 31st of 2003. We have had seven meetings to date with county representatives. And at this point our last meeting was just last Tuesday. And the result of that was just that we felt that it was kind of left as, you know, with nothing going forward. There was no •• no real movement on the County's part to advance what's been happening at this point.

CHAIRMAN CARACCILOLO:

Are there any offers on the table?

MS. ABEL:

Not at this point. We have some ••

CHAIRMAN CARACCILOLO:

Demands? You have demands. County has counter•demands?

MS. ABEL:

Right, right. We have some things that we've asked for that they in return •
• the same thing, there has been absolutely no discussion, you know, in any kind of a major way as to salaries; you know, nothing that has been any

kind of back and forth discussion. There have been a few little thoughts of this is what we are thinking, this is what you are thinking, that type of stuff. But there has been no actual discussion on money.

CHAIRMAN CARACCILO:

Okay. I bring that up in the context of what this Committee is charged with. And that is, we have oversight over the County budget and finance. Accordingly, it would seem to me at some stage this year, there is either going to be an impasse declared, mediation, and unlike the uniform services, the union cannot avail itself to arbitration. Can you give us or share with us some insights as to a time line when this matter may come to either a culmination successfully at the bargaining tabling or perhaps come back to this Legislature for resolution?

MS. ABEL:

I wish that I could give you some kind of an idea. At this point we do not have anything. We certainly for the sake of our members and for the sake of, you know, the County Executive's Office to try to advance this procedure and have it be one less union in the County that's up for negotiations. I realize there's two more whose contracts expire on June 30th. So, it compounds the issue to continue it for much longer. But at this point we don't have any date as to when •• we have stopped exchanging ideas at this point. I don't like the word "demands." I'm sorry. That's just my feeling, but we've stopped exchanging ideas from both sides of the table. And at this point it's just coming to a resolution as to what we have agreed is still out there. But like I said, in the last meeting the general feeling was there had been no real attempt on the part of the County representatives to move this forward. We would like to very much see this whole situation move forward quickly. We have another meeting for April 1st. And we would look to see a resolution shortly. But that is our opinion from the union side.

CHAIRMAN CARACCILO:

Right. How long have you been a union representative of the County Employees?

MS. ABEL:

I've been a union representative for a year•and•a•half on the executive

board level. For three years prior to that on the unit board level in the Probation Department. And I have almost 20 years in the County.

CHAIRMAN CARACCILOLO:

Okay. So then you recall as I do a time many years ago in the old auditorium that we now are in when this building was packed with demonstrators from the union. And having said that, I understand that there's a planned demonstration in Riverhead the next time the Legislature meets.

MS. ABEL:

Right.

CHAIRMAN CARACCILOLO:

I think that is somewhat misguided personally because at this point there's nothing before this Legislature to consider. You have to negotiate with the executive branch. And I would put focus as a former union official myself on the executive branch; because you have many friends here historically. And I don't think you want to do anything to jeopardize past relationships. So, I would hope that the board would consider that suggestion. I'd appreciate hearing back from you or Cheryl before next week.

MS. ABEL:

I don't know that that was, you know, personally the intention was to attack the Legislature. We are well aware of the fact that the Legislature at this point has not entered into this; that it is not •• there is •• has been no room for you people to move forward with our contract because it has not come to this stage yet. But just to that also there is a demonstration scheduled for March 17th between noon and one at the County Executive's Office at the Dennison Building. So, it is not that it was just directed at the Legislature, that that would be it. But I will certainly take your message back to Cheryl.

CHAIRMAN CARACCILOLO:

Thanks very much, Anne. I know the sponsor would like to speak in response to your comments. So, I recognize Legislator Alden.

LEG. ALDEN:

Thank you.

MS. ABEL:

Good morning.

LEG. ALDEN:

Good morning. I just have a couple of questions. You mentioned that you're opposed to ll40. You're opposed to giving back a few tax dollars to people for their home energy cost and keeping it more affordable in their house? Is that what you're opposed to? I just want to clarify a few things.

MS. ABEL:

The main concern was that the tax cuts would impact the staffing that is currently at a low level within the County as it is now. And that was our concern, was, you know, maybe there should be other ways of actually producing the savings that could be generated through this, you know, through, you know, some other source.

LEG. ALDEN:

So, you're not against the concept of giving the people back a few of their dollars? Because 7,000 •• you mentioned 7,000 people, they're going to benefit from this program if we could eliminate the home energy tax. Because a key to affordability is the amount of money that you pay for energy for your house.

MS. ABEL:

Right.

LEG. ALDEN:

Okay. Now, getting into, then, your specific, you say here since 2004 the work force is devastated and things like that. What do you mean by devastated since 2004?

MS. ABEL:

It's just that we see a declining role of the number of employees. As people

retire, people are not replaced. We had the retirement incentive that was back in 2002, I think. And that one, even then the numbers were down as far as staffing was concerned. And we have not really recouped from that. And we're hearing a lot of issues coming out of a number of our departments where the people are overworked. And our basic concern in the areas of •• our concern is for all of our employees that you don't, you know, end on burn out. We had our DPW people telling us that they didn't have the staff to run all of the equipment needed for snow removal. And now if you're having the same people work 16 shifts with a two•hour break and then going back out again, you're not only concerned with the safety of the individual worker, but the safety of those people that are on the street as well.

LEG. ALDEN:

Good point. And going back to one of the points that you just made in that, and there was a number of good points, I think, you made. But the early retirement, and there's pros and there's cons to it, for the people that are going out, you know, it's extra money going out the door. But the problem is, it's very expensive for the County to do that. And in order for us to participate in an early retirement, we have to really have real savings, which means you that can't backfill positions. So, unfortunately, and I forget what the union's position was on the last early retirement, I think we were asked to vote for it, that it creates a lot of heartbreak for the people left behind. So, it helps a few that are going out the door. So, we have to be very, very careful when we consider an early retirement again. And I don't know what New York State is going to do this year, but if they do pass legislation that would enable that, we have to be very careful because, again, we are required by law that if we participate in that, you can't backfill those positions. So, it leaves people, like you said, it was almost like a brain drain. And hundreds of years of experience would go out of an office and leave a few to do the business of many.

The other thing I'd like you to do and I've asked a couple of members of •• I think I spoke to Cheryl about this •• if you could identify the positions that would be key to eliminating some of these major problems, where •• and we're not often privy to the fact that there used to be 20 people in an office; now there's only five left. So more times than not the County Executive

more •• has that information available to him. So, if you could get that information to us where you're hearing from your members that, you know, like, there's only a few of us left, and we still have this tremendous demand, there are things that we could do. There's 700 vacant positions in the Suffolk County budget. So, if we could shift those around or if we can, you know, change some of those positions •• and I'm not advocating filling all of them because some of them are open just for the very purpose of fulfilling our obligations when we had the early retirement.

So, if you could get us the information as far as what are the key positions that really have •• are they •• you know, are we looking at burn out, are we looking at huge bottle necks, are we looking at, you know, does it translate into a diminishing amount of service given to the people that we serve. So, if we have that information, I think that'll help us going forward and it'll help me because I plan on trying to get this 1140 passed in one way, shape or form. And I appreciate your comments that you don't like the funding mechanism that I've come up with. So, I'll take that into •• very seriously consider that. But I would also need that information from you, you know, because there's a possibility we could do both here especially since you have 700 vacant positions that, you know, can be moved around.

MS. ABEL:

Okay. I thank you for your comments.

MR. SPERO:

Just to follow up on Legislator Alden's comments, we issued an analysis last year that showed that the •• based on the information •• the payroll information we obtain on a bi•weekly basis, that the last early retirement incentive cost the County money. Because what happened, as everyone knows, the retirement rate skyrocketed in the last several years. So, the retirement bonus that the County had to pay to the state increased drastically from what was originally estimated. So, there were no savings in the last plan.

LEG. ALDEN:

And just to wrap up, I'm glad that I clarified that in my mind anyway. You're not really against the concept of a home energy tax reduction, giving

people a break. You really didn't like the funding source that I chose.

MS. ABEL:

Correct.

LEG. ALDEN:

Okay. Thank you.

CHAIRMAN CARACCILOLO:

Before you go, Anne, as you know •• as you know and I'm going to recognize •• because there are other members that want •• who have questions, I haven't seen a proposal, a resolution, but I read that the County Executive was going to offer one up. Ben, did that happen or is that going to happen?

MR. ZWIRN:

Yes. I have a draft with me, but there had to be some ••

MS. JULIUS:

You have to come up and use the mike.

MR. ZWIRN:

We'll be filing it today, Mr. Chairman. And the reason is because the •• the State had to review it for any corrections that they wanted to make. New York State Department of Taxation and Finance has made their comments. And we'll be doing the adjustments with their recommendations.

CHAIRMAN CARACCILOLO:

Okay. Could you •• I mean I only read media accounts. Could you provide the Committee with some insight as to what the proposal is, what the proposed offsets are and what the net savings are to potential consumers.

MR. ZWIRN:

Do you want me to •• I can get the bill now if you want.

CHAIRMAN CARACCILOLO:

That would be helpful. Legislator O'Leary had some questions.

LEG. O'LEARY:

Just an observation made and I wanted to just point out to Anne who's here representing AME that certainly I don't want you to get the impression, Anne, that we're trying to put a chilling effect on the ability and absolute right of the union to demonstrate before those policy makers who are in the County for their needs and desires as it pertains to •• what their responsibilities are as union representatives. So, I do want to point out that you're keenly aware of the fact that there are currently about 700 funded positions that are currently vacant. And those are funded positions. And perhaps AME should focus on that as Legislator Alden had alluded to. And as you point out in your letter to us, this is not the first time that AME has brought forth proposals, if you will, to this body concerning addressing the energy crisis and what can be done with respect to reducing cost for consumers. As you pointed out in your letter that you •• not on one occasion but on two occasions, brought the LIPA proposal before this body. So, I just •• but my point is, is I just wanted to from my standpoint and my background, of course, the unions have an absolute right to do what you're planning on doing. And I support that.

MS. ABEL:

Thank you.

CHAIRMAN CARACCILOLO:

Anyone else? Let me add a footnote, then. To my comments as a former union official. I understand the right to demonstrate. I think it's somewhat misguided and premature to do it at this time before this legislative body. If we reach the point where there is an impasse, I think, the energies of all the union membership would be better served to come before the Legislature at that time when we may have to consider the imposition of a one year contract, which is a prerogative the union has. So, I just want to put my remarks in context. Thank you. Ben?

MR. ZWIRN:

Thank you, Mr. Chairman. First let me just say that, not being a budget

expert and I can defer to Jim over here, when we talk about 700 positions, I know that in the County budget, there's turnover savings. We used to call it salary savings in Nassau County. So, even though you'd see a number of positions that were listed, there's a line in the budget which reduces that for turn over •• literally for people who leave the County during the period of the year that it's been budgeted. So, the 700 positions, I don't know if that's the real number that's available in the budget. It's probably somewhat considerably, I think, less than that that are actually funded of those 700 positions that are listed.

CHAIRMAN CARACCILOLO:

On that point, let me just inform the Committee, then, that later on today there will be discussions between both Budget Offices. And hopefully we can come out of that meeting on this issue and others in agreement as to what the number of vacancies and what the savings associated with unfilled vacancies are in the County budget.

MR. ZWIRN:

I agree. And I think I could suggest a few other things that Legislative BRO and the County Budget Office could talk about ••

CHAIRMAN CARACCILOLO:

If you forward them to the Chair, we'll be happen to consider.

MR. ZWIRN:

Okay. With respect to offsets and things like that so that we can, you know, find money that's in the budget that is less sensitive on certain issues to fund certain projects at this time. I'll be glad to go into some of the details on the •• on the ••

CHAIRMAN CARACCILOLO:

If you could just give us an overview or summary and where the offsets are coming from.

MR. ZWIRN:

Okay. Well, the difference between, I think, Legislator Alden and the County Executive's position is the amount of the reduction with the fuel surcharge.

It's one percent. And I think Legislator Alden, it's three quarters of one percent?

LEG. ALDEN:

We'll adjust that in a few minutes.

MR. ZWIRN:

Okay. One of the problems is that according to state law and the State Department of Taxation and Finance, it has to be reduced in certain increments. And they have to be either half percent or multiples of half percent. So, it would have to be an amendment, I believe, on Legislator Alden's bill to make it one percent or half a percent to meet the state criteria.

And I think the other difference is, and I think, you know, that's played out in the press has been where the offsets are coming from. I know that •• I believe in Legislator Alden's bill and you can correct me if I'm wrong •• from the freeze on hiring unnecessary positions in the budget and that there'll be a sufficient amount of money there to offset approximately what, \$10 million, Jim, in '06, to pay for ••

MR. SPERO:

Three quarters.

MR. ZWIRN:

At three quarters of a percent. The County Executive is concerned about it. I know there's a bill on today to add positions to Social Services, 44 positions.

CHAIRMAN CARACCILOLO:

Which he supports.

MR. ZWIRN:

Pardon me?

CHAIRMAN CARACCILO:

Which he supports.

MR. ZWIRN:

Well, not •• no, he really doesn't. He doesn't support that. I mean if we're going to go global now, we'll talk about all the issues, you know, together, which is fine. He wanted me to, you know, make the Committee aware that he did sign 51 SCIN forms in DSS last year. And that there are 39 pending as we speak right now that he's prepared to sign and fill; but right now he's holding everything back until he gets a better •• a clearer picture as to how this all develops with the loss of revenue potentially from Legislator Alden's bill. If it goes through, what positions do we have to freeze, can we hire those positions and still have the savings. It's something that they have to evaluate.

I know the Chairman has come in and talked to the budget people in the County Executive's Office trying to get a handle early on in the year to find, you know, what are we facing with respect to any deficits, if possible. I know the Budget Review Office today is meeting with the County Exec's budget people to try to reconcile numbers so that we're all working from the same page; at least as close as possible. But the County Executive listed, you know, where the cuts would come with respect to his initiative. And I think after a meeting that we had the other day, which Legislator O'Leary and Legislator Carpenter attended along with the Presiding Officer, there was some talk that perhaps we could, you know, talk about Legislator Alden's bill, the County Executive's bill in a more global situation; taking a look at it together and trying to work something out. Legislator Lindsay had some suggestions as well at that meeting that are hopeful.

So, what I'm trying to do is not put fuel on the fire today and try to, you know, try to say, you know, put something in the Legislature and the Committee's face. I think the offsets that the County Executive took were well publicized. I'll be glad to list them again if you want.

LEG. ALDEN:

Could you?

CHAIRMAN CARACCILOLO:

I'll tell you what. To save some time, if you can make copies, provide them to staff ••

MR. ZWIRN:

I could make copies.

CHAIRMAN CARACCILOLO:

We'll make copies, distribute that. And we'll come back to this issue later on in today's agenda.

MR. ZWIRN:

Great.

CHAIRMAN CARACCILOLO:

I do want to get the Supervisor on his way. And we do have other public speakers. Just so you're aware, Supervisor Cardinale, I will call you up when we open the public hearing on the resolution to which you would like to speak. So, that will be in a few minutes.

Peter Quinn?

MR. QUINN:

Good morning, members of the Committee. My name is Peter Quinn. I'm speaking for myself. I saw that there •• I was going to come to Public Works, but I have conflicts later and I know there are two members of this Committee that are on that committee as well. So, I'll address my concerns on the two energy issues, which I read about in yesterday's paper. The first called for •• by Legislator Schneiderman called for a five year plan, spending \$100,000 a year on renewables. The second one was revised by Cooper •• Legislator Cooper for \$500,000 over five years or two and a half million dollars. I want to suggest that that's the kind of Don Quixote idealism of seeking renewable energy solutions; walking hand in hand with Sanchez over the country side empty•handed.

Compare those two pieces of legislation with Broad Water energy, which is talking about \$700 million. And that's just for the development phase of it

when you add the interest and the amortization and the lock box long-term agreement with Key Span for fuel, electricity, we're talking perhaps two and a half billion dollars over a period of 25 years. Or compare it with LIPA's spending over a billion dollars a year on fossil fuels. And the impact that that will have. And add that add to that what the Saudi OPEC Minister Oil Minister said the other day; that while we're paying \$53 a barrel and change for a barrel of oil, next year we can project that the cost will be \$80 a barrel. Consider what energy and how it's going to impact our economy.

And I urge that there are several solutions. One, get Congressman King, Israel and Bishop together and have them push for a federal grant for Suffolk County to provide renewable energy projects; money for renewable energy projects.

Two, consider a line of credit from investment banks in Suffolk County where they would provide the money for approved projects; but no money goes out. I was thinking in terms of 300 million over a period of five years for municipal government, for businesses and for residential consumers. We could see fossil fuel use drops substantially if we took it seriously, investment for energy efficiency and renewables.

The third possibility is to consider Legislator Alden's proposal on reducing the tax energy tax by percent by taking some of that and whatever proposals are at the Department of Public Works that are ready to go, we could be using some of that money when you consider the amount of money that the consumer is going to get back is relatively negligible. Why not take some of that money and invest it in projects that will earn consumers more savings. Because when municipal government saves its cost of energy, the cost of government comes down. And so the consumers save there as well as savings in the tax.

So, I would urge consideration of some of those proposals. And I'd be more than willing to work with any legislators in trying to bring them to the foreground. Thank you.

CHAIRMAN CARACCILO:

Thank you very much, Peter. Are there any other speakers? Yes.

MS. PANNULLO:

My name is Judy Pannullo. I'm the Executive Director of the Suffolk County Council. I apologize for coming in late. But I was just looking at the agenda. And I wanted to talk about 140, which I think was going on when I came in.

CHAIRMAN CARACCILOLO:

1140?

MS. PANNULLO:

Oh, 1140. I'm sorry. My understanding is this is going to be \$10 million cut, Mr. Alden? Is that •• and I'm just concerned how it'll affect Social Services. I mean, we have a budget that's not going to hurt Social Services this year. And I'm just really concerned about the possibilities in light •• especially in light of the fact of all the Medicaid changes that they're talking about and how much money Social Service agencies are going to lose.

LEG. ALDEN:

Well, actually ••

CHAIRMAN CARACCILOLO:

Through the Chair.

LEG. ALDEN:

Through the Chair.

MS. PANNULLO:

Okay. I'm sorry. I should be addressing the Chair. I'm sorry.

CHAIRMAN CARACCILOLO:

Go ahead. Legislator Alden.

LEG. ALDEN:

To address your concern, it really doesn't do anything to the budget as far

as what you're mentioning right now. But later on this year we actually have to address all the issues that you brought up in the overall budget. So, as far as this energy cut, what this does is there's people out there right now that •• in their homes, they're paying a surcharge on their energy. And in addition to the huge increases that they have experienced in the price of oil, electricity, natural gas, and even any other type of energy that they use to heat their homes, on top of that they have to pay a tax. And that's where I'm focussing.

I don't think government can say out of one side of the mouth that we want to make housing affordable for people. And we want to create jobs and we want to create •• and retain people here. We want to make it so our senior citizens can stay here, so our young folks can come out of college and stay here. We can't say that out of one side of our mouth and then out of the other side of our mouth go and say that we're going to hit an energy tax on you. So, on your household, people should not have •• and I'm talking about people mainly on fixed income. They should not have to choose between paying their energy bill and going out and buying medicine or the food that they need. And I interviewed quite extensively and even some of the media went out and asked people, even if it's 20 or \$30, would you rather have that in your pocket than pay that as a tax? And actually 100% of the people that were asked said I'd rather have that money, you know, that I can go out and buy my food with or buy my medicines with. So, that's where the •• my plan is to try to make it more affordable for people in their houses.

And I will take into consideration, you know, anything; if you have a concern. But right now I really didn't touch on, you know, like your agencies and things like that and the contract agencies and the work that they do. Because I believe ••

MS. PANNULLO:

Well, if it's going to affect •• my concern is if it's going to affect the overall County budget, that it might ultimately affect, you know, any contract agencies. The first place they cut is contract agencies, not the agencies •• not the departments within the government; right?

LEG. ALDEN:

We have another spin on this, too.

MS. PANNULLO:

Right.

LEG. ALDEN:

Because it's not just me now. And I know originally the County Executive said he was opposed to an elimination or reduction of this tax. But as you heard a few minutes ago, the County Executive has flip flopped as you may ••

MS. PANNULLO:

Actually, I'm sorry. I didn't •• I got here ••

LEG. ALDEN:

And he's got a one percent cut, which would be more as far as revenue than I have asked to cut, which would be a little bit more far reaching because I'm just looking at his proposed cuts. And this is a joke. An insult to the Legislature and an absolute joke. But I'm glad that the dialogue now has been opened up. And we will look for a way to help people in their homes and also take into consideration your concerns with services that are provided for the much needed type of services. Thank you.

MS. PANNULLO:

Thank you very much.

CHAIRMAN CARACCILOLO:

Thank you, Judy. Okay. At this point we will go to the recessed public hearing IR 2219. And we have one card filled out. That's the Honorable Phil Cardinale, the Supervisor of the Town of Riverhead. Phil.

MR. CARDINALE:

Good morning. Good morning to the committee members and thanks for the opportunity to address you. I came in this morning from Riverhead to support this resolution 2219 of 2004 introduced by Legislator Caracciolo and Schneiderman, which seeks, as you know, to provide a fair and equitable

distribution of the public safety sales and use tax revenues. The stated purpose in the resolution is a worthy one. To restate the formula for the computation and distribution of this sales and use tax revenue to ensure that the revenues allocated are fairly distributed throughout the towns and villages that are qualifying for it.

The effect would be beneficial to the Town of Riverhead, which, I think, like all of the municipalities' struggles on a daily basis to •• under the burden of providing adequate police protection to the residents, the burden of that is nearly half of the Riverhead Town budget at this time. The mechanism that is proposed here is fundamentally fair. It's based upon population. And when you're dealing with a county wide issue, it seems to me that's a pretty fundamentally fair way of going about distribution.

The other good aspect of this from the standpoint of the Town is that it would assure regularity and predictability of this annual revenue so that we can budget for it and utilize it most effectively. And it creates a formula that assures, as I mentioned, functionality and fairness. In short, I think, it is a necessary thing to do. It's the right thing to do. And I together with virtually everyone of the east end Supervisors and village Mayors applaud and support the initiative of Legislator Caracciolo and Schneiderman to bring it to your attention. And I'm hopeful that you will consider it favorably.

CHAIRMAN CARACCILOLO:

Thank you very much for those comments. Legislator Alden.

LEG. ALDEN:

Hi. Thanks for coming down. And I'm wrestling with whether to support this or not to support this. Mike and I have had •• Legislator Caracciolo •• have had a whole bunch of conversations on it. And today I hope to get, like, the last couple of pieces of it. But as far as one comment that you made, and, you know, I'm not sure we can rely on, you know, the sales tax as far as being such a cut and dry type of number every year. And I was wondering if that would hurt if it fluctuates wildly just because of, you know, what happens in the market because I'm starting to look at what the, you know, like, the federal government is projecting as far as a huge fall off in sales tax revenue and the possibility that because people have gone out and

mortgaged their homes and spent that money, they've taken the equity out, and they've gone through a number or a series of refinancing, that we're almost at the point where that might not occur again. And if that type of money dries up especially on Long Island, we could see a huge swing in the amount of sales tax that we collect.

So, when you say it's a predictable type of number or predictable type of revenue stream, I would hate to see you do the same thing as Suffolk County's done. And we're completely reliant on sales tax. And God help us if there's a five or ten percent swing the wrong way for us. But could you comment on the Town's positions?

MR. CARDINALE:

Sure. Yes. What I said •• I meant that it would be predictable under this that we would receive a payment each year. There's no question but that •• and the other thing I want to point out is there are •• this would make better a situation that is •• make better a situation that exists. If I had my druthers, sure, I'd like you to •• and I think all of them, the Supervisors and villages would prefer that you give us an assured number •• a nice high one would be good •• each year that we could depend upon to supplement our police activity. But I'm assuming that that's not possible because the whole concept here is that you're taking a variable fund and dedicating a specific percentage of it. We will live with that.

What I think we've also had to live with, and I understand in the past, is the possibility of not being funded in a given year, which this addresses. I think it says that we will be funded, if I'm reading it correctly •• we will be funded on the level by population based. If I had my druthers from Riverhead, I'd like you to run a formula that reflects the sales taxes collected that go back to us because with all the car dealerships at the end of the Expressway and the Tanger Mall, I'm sure that we would do better even than on a population base, but I think Mike and Legislator Schneiderman wisely said wait a minute, that would be more controversial than saying let's do it on a population base.

LEG. ALDEN:

I'm glad you said it because too bad Legislator Binder's not here because

you could have an interesting debate with you as far as what Huntington generates and what the east end generates.

MR. CARDINALE:

Right.

LEG. ALDEN:

Just •• I had one other follow•up question on that. And, you know, again, just watch out for, you know, becoming reliant upon a certain number coming in because, you know, we've had all up years. And if we ever have what traditonally happens, and that's a down year, you know, like all of us are going to get killed.

Have you ever given any thought to actually joining the Suffolk County Police Force?

MR. CARDINALE:

I have given less thought to that than my Chief of •• my Police Chief.

LEG. ALDEN:

I'm just throwing it out there.

MR. CARDINALE:

The Police Chief, has in fact •• it's been reported out in the local •• has been, in fact, in talks with your police personnel with my permission but not my approval because the board hasn't discussed it yet. But there has been some suggestion of that, yes. There's a lot of resistance to losing the small town police force. And we haven't gotten the numbers yet and we haven't gotten by the real issue, which is no matter how good the numbers look, there's no assurance that the County won't redeploy the forces that they indicate they'll be bringing into the town in the next annual budget.

LEG. ALDEN:

But at least I'm encouraged. You're looking at it because that almost seems like a universal solution to it if, you know, all the towns actually joined into it because there are services that are shared like the aviation and some of the major investigations like homicide and things like that.

MR. CARDINALE:

Right.

LEG. ALDEN:

And drug •• trying to coordinate the drug control.

MR. CARDINALE:

I'm looking at it •• they're looking at it but I'm suspicious because the Chief of Police and the personnel are looking at the benefits associated on a personal basis to the move to the police. I'm looking at a whole different picture ••

LEG. ALDEN:

You mean raises.

MR. CARDINALE:

•• which is what are the financial basis for the Town. The Town's budget, incidentally we would get •• obviously that's why I'm here among other reasons •• is that we would get 7 or 800 thousand more under this formula than the present formula. But neither formula would be more than about, you know, five or six percent of the budget that we put aside for police each year. So it wouldn't •• it's not •• it would be significant, but it wouldn't •• it wouldn't crush us if the tax •• sales tax year was a little bit lower.

LEG. ALDEN:

Thanks.

CHAIRMAN CARACCILO:

Phil, on the point that was just raised by Legislator Alden, services and the extent of police services provided by the County Police to the Town, does the Town keep any kind of record or log of those activities?

MR. CARDINALE:

Yes, they do. And they do •• we were having a discussion yesterday in a work session on this very subject as regards to the related area, arson investigations. We have a fire marshal that seems to me duplicates the

function of the County. And we don't have enough money to do that. And we do use the detectives on homicides and other specific areas. The police chief would know. But we avail ourselves to the extent possible and I hope to the fullest extent of whatever County services are available.

CHAIRMAN CARACCILOLO:

Okay. I would encourage you to perhaps speak to the other supervisors. It's my understanding that somewhere within county government, somebody is keeping tabs of the services that are being provided to villages and town governments. And I just want to make sure as I learned recently on another matter unrelated to this discussion, that there tends to be a •• there's a tendency rather to inflate data that can't be substantiated. So, I want to have a cross check here. I would appreciate it if you would speak to the other supervisors about putting that type of information together so that when I see the County Police Department's numbers, I can reconcile them and perhaps have a meeting with everybody to see if they are, in fact, inflated.

MR. CARDINALE:

Or understated. The numbers that the County indicates they're performing services on the east end. Is that ••

CHAIRMAN CARACCILOLO:

Yes.

MR. CARDINALE:

Okay. Good. Yeah, I can do that at the •• and I will.

CHAIRMAN CARACCILOLO:

Thank you very much. Legislator Carpenter.

LEG. CARPENTER:

Thank you. Your comments about the discussions that are taking place between the department •• the Police Department and your Town Department, do you know who initiated those discussions?

MR. CARDINALE:

Yes. Chief _Hegermiller_ of our department.

LEG. CARPENTER:

So, it was generated by your Town?

MR. CARDINALE:

Right.

LEG. CARPENTER:

Okay. I don't know if you're aware or not, we have a Public Safety Staffing Levels Task Force in place that's been meeting over the past number of months in the County. And at our last meeting, all of the town and village departments were invited to come before the task force to share just this kind of information. And we did hear from some of the east end departments •• Southampton was there •• Town of Southampton. But I don't recall that Riverhead was. And we have another meeting coming up and it might be helpful if someone from your department could come to the task force and share that kind of information so that when we're deliberating issues like this, not only staffing but certainly financial issues, and I for one am supportive of this initiative to kind of codify what has been past practice, but I think it's only fair to recognize the contributions to the sales tax of the east end. Thank you for coming down. I'll get you that information on the date.

MR. CARDINALE:

Great. I will have someone attend.

CHAIRMAN CARACCILOLO:

And if you would, Supervisor, just keep me abreast of that information as well.

MR. CARDINALE:

Yeah. I'll look into that and I'll contact you.

CHAIRMAN CARACCILOLO:

Thank you.

MR. CARDINALE:

Thank you.

CHAIRMAN CARACCILOLO:

Anyone else? No, thank you, Phil. Again, congratulations on being a new granddad.

MR. CARDINALE:

Thank you. It was a great weekend.

CHAIRMAN CARACCILOLO:

Okay. Is there anyone else who would like to address the Committee on this resolution? Hearing none, I'll make a motion to recess until our next meeting on the 22nd, second by Legislator Alden. All in favor? Opposed? Abstentions? Unanimous. It's recessed. **(Vote: 6•0•0•1. Leg. Montano not present)**

We'll go to today's agenda. But before we do, I did want to get a brief presentation from the Budget Review Office similar to the very brief presentation we received last month from the Budget Office. And, again, just underscore what I said earlier that later today both offices will be meeting to try to identify to what extent county finances •• where we are in terms of county finances and projected surpluses or deficits. So, Jim, the floor is yours. Do you have a hand•out for the committee?

MR. SPERO:

Yes. Robert will hand out the current vision of the budget model. Just a couple of points to make since the last meeting of the Committee. As you know, the fund balance for 2004, the actual fund balance is still not known. We expect it to be a little positive side from what was originally estimated; however, that number won't be known probably 'til sometime next month. And I've been in contact with the Comptroller's Office about getting some preliminary figures, but they're not in the position to release any information on that as yet.

On February 15th, we issued our sales tax memo which went over the 2004 sales tax, which was received. And the County General Fund was to the better by 3.6 million above what was estimated in the budget. As everyone knows, this will increase the sales tax base for projecting the 2005 sales tax revenue as well as 2006. So, the base is raised by about \$3.6 million for those years. And that's a positive impact obviously.

The discussion was going on earlier about permanent salaries. Our latest permanent salary projection shows that there are 717 vacancies in the County General Fund, which if none of these vacancies were filled for the remainder of this year and no one left county services, assuming a steady state, and the number of people on the payroll for the remainder of the year, the savings would be about \$16.7 million from what was budgeted. That's in the General Fund. Overall for all funds, there are 1,029 vacancies. And, again, if there was no change in the number of people on the payroll, the savings would be about \$23.2 million.

CHAIRMAN CARACCILOLO:

Jim, let me just interrupt you a moment. With respect to the police department, what has been the trend so far this year with regard to retirements? I understand they are below traditional levels.

MR. SPERO:

I could find out for you, but I don't know precisely how many people have left.

CHAIRMAN CARACCILOLO:

Okay. Let me see if Mr. Bortzfield has that information available.

MR. BORTZFIELD:

No.

CHAIRMAN CARACCILOLO:

Okay. Would you make it ••

MR. SPERO:

We'll try to find out for the Public Safety Committee meeting later today.

CHAIRMAN CARACCILOLO:

Do we have a representative here from the Police Department? Could you please come up? Would you identify yourself for the record, please.

CHIEF McELHONE:

Good morning. I'm John McElhone, Chief of Support Services for the Suffolk County Police Department.

CHAIRMAN CARACCILOLO:

Thank you, Chief. I'm glad you're here. I do have some other questions; so maybe you can clarify some information for us. First, a question that was just raised, what is the trend so far •• here we are in early March. What does it look like as far as retirements and projections?

CHIEF McELHONE:

They have been running a bit lower. We usually have a January retirement and a July retirement because of the peculiarities of the labor contracts. And January was a bit lower than we expected. And people are planning on retiring in July. Sometimes they're, you know, a little bit more vocal. And you have a feeling for it. They come and they visit and check their numbers. And right now we're not seeing a lot in that regard.

CHAIRMAN CARACCILOLO:

What is annually budgeted for, you know, retirements, Jim, in the Police Department?

MR. SPERO:

Typically we budget around 100 or so. And that's been pretty steady over the years.

CHAIRMAN CARACCILOLO:

So, at this juncture would you happen to know what time number is, Chief?

CHIEF McELHONE:

I think we have about 25 or 30. I could find out.

CHAIRMAN CARACCILOLO:

Okay. And that would certainly be uncharacteristically low.

CHIEF McELHONE:

July would be another big date.

CHAIRMAN CARACCILOLO:

Right.

CHIEF McELHONE:

And then after that there would only be a handful.

CHAIRMAN CARACCILOLO:

Okay. On that point, Legislator Carpenter.

LEG. CARPENTER:

You said to date 25 or 30. And historically ••

CHIEF McELHONE:

That's a guess. You know, it's been low. It's been a lot lower. Bill Reath, a lieutenant in the personnel section has been ••

LEG. CARPENTER:

Because you said a bit lower, you know. You kind of quantified it by saying a bit lower. What I'd like to know is comparing this time last year to now ••

CHIEF McELHONE:

It's been lower.

LEG. CARPENTER:

Okay. But again ••

CHIEF McELHONE:

I'd need the numbers to give you an exact answer.

LEG. CARPENTER:

All right. And those are the numbers I would like to see, too. Not that we only have 25 or 30 and we normally have 100; but we've got another window in July when it's very likely the numbers will be pretty consistent. But we won't know that 'til we look at the numbers exactly.

CHIEF McELHONE:

Historically we're right around 100. Sometimes we have big years where there's almost 150. In a very slow year you might have in the 70's. Right now we haven't ••

LEG. CARPENTER:

Okay.

CHAIRMAN CARACCILOLO:

I have Legislator Alden next and Legislator Lindsay.

LEG. CARPENTER:

He's still talking.

CHAIRMAN CARACCILOLO:

Oh, I'm sorry.

LEG. CARPENTER:

Go ahead. No, finish what you were saying.

CHIEF McELHONE:

This year it seems to be a lot lower in the first wave of retirement ••

LEG. CARPENTER:

Historically is it ever lower than 75?

CHIEF McELHONE:

None that I can remember.

LEG. CARPENTER:

Okay. And is there any reason for you to believe that it's going to be dramatically lower than what historically has been our low? Even though it's a bit lower than last year?

CHIEF McELHONE:

Again, my experience with it •• I've been in Operations up until the last five months where I have my current position. From the data that I've been able to look at, I've never seen it any lower than like 75.

LEG. CARPENTER:

Okay. Thank you.

CHAIRMAN CARACCILOLO:

Legislator Alden.

LEG. ALDEN:

Hi, Chief. Thanks for coming down. Would you happen to know, and, I guess, I'm in the process of preparing a request for information at the Commissioner's •• I'm not going to call it a request, but kind of like barked at me that if I wanted information, I should just put it in writing. But would you happen to know as far as the patrol, not officers or supervisory personnel, but on the patrol level, you know, what our current staffings are? Are they down significantly the last year and this year compared to the past?

CHAIRMAN CARACCILOLO:

You mean in terms of manpower?

LEG. ALDEN:

Manpower.

CHIEF McELHONE:

Again, I didn't come prepared to talk about these issues; however, we didn't have any classes in 2004. So, that always impacts what we're able to put out on the street in patrol. With no classes in 2004, whatever retirements we did have, promotions to detective and supervisory ranks, I would, you

know, we are a little bit lower.

LEG. ALDEN:

Now, are you the guy that we would go to through Legislator Carpenter through the Public Safety Committee to get those kind of figures? Is that the proper ••

CHIEF McELHONE:

Ultimately, yeah, though any request of the department would probably come to support services to get figures for, you know, how many personnel we have and costs.

LEG. ALDEN:

Because I'm interested in number one, like, the attrition rate. So, you know, the effect that the retirements are having on the patrol. Also, like certain units, like COPE, you know, what the manpower is or seems to be in there and which direction we're going with that; those type of trends, so to speak. Also, is there a plan to actually have a class?

CHIEF McELHONE:

Yes. We were budgeted for a class this month and one in September. The discussion, as we're already at March 8th, the March class, I'm sure, will be pushed off to September and we will combine those numbers and have a September class. That is my understanding of the plan as far as the Police Department's perspective at this point.

CHAIRMAN CARACCILOLO:

Okay. That's significant. Was that information relayed to the Committee Chairwoman Carpenter at any point in time?

CHIEF McELHONE:

Not by myself. I don't know where these discussions are taking place at this point.

LEG. ALDEN:

Okay. Yeah, if somebody's got information on that.

CHAIRMAN CARACCILOLO:

Legislator Carpenter. Then I'm going to recognize Legislator Lindsay.

LEG. CARPENTER:

Just in the interest of full disclosure, I did receive a phone call at my home the other evening suggesting that this was under consideration but not that a decision had been made; but from what you're saying today, it sounds like that decision has been made.

CHIEF McELHONE:

Well, the clock is ticking. We have many things we have to do. We have, you know, candidate investigation, our applicant investigation section has to gather up the names and notify the people that they will respond to. The academy •• the academy has to gear up. And, again, we're at March 8th and we haven't been there.

LEG. CARPENTER:

This is a concern because in the public safety staffing levels, this question was asked last week when we met. And the indication we got from the Deputy Commissioner was that things were moving along. So, this is a little bit different.

CHAIRMAN CARACCILOLO:

And that's what the Chair would like to do is keep things moving along so, Legislator Lindsay, the floor is yours.

LEG. LINDSAY:

I really just had a simple question. I wanted to know if we could have the comparison between last year's retirement and this year's by the Safety meeting?

CHAIRMAN CARACCILOLO:

BRO can give us that.

LEG. LINDSAY:

Can we have that number by the Safety meeting in an hour? I mean, it should be an easy number to acquire; right?

CHAIRMAN CARACCILOLO:

Yeah. Yeah. We know last year's and we can make a phone call and get year to date.

MR. SPERO:

Yeah, we'll contact the department to get the information.

CHAIRMAN CARACCILOLO:

Legislator O'Leary.

LEG. O'LEARY:

Good morning, Chief. Just for the record, is it your division that has the responsibility of compiling statistics and data? Or within that division is there a section or command that has that responsibility to do that for the department, the statistics and data, etcetera?

CHIEF McELHONE:

I think you're referring to Planning or R&D. And they actually fall under the Chief of the Department.

LEG. O'LEARY:

All right. So, it's not your ••

CHIEF McELHONE:

No.

LEG. O'LEARY:

It doesn't come under your area of responsibility with respect to the section or unit that compiles all the statistics and data that's generated within the department?

CHIEF McELHONE:

Crime statistics, calls, things of that nature?

LEG. O'LEARY:

Right.

CHIEF McELHONE:

It's our planning •• the Research and Development section who puts that together and they work under the Chief of Department. They get numbers from communications which falls under my perview, CAD numbers and things like that for total number of calls. They would get arrest statistics from Arrests. But the people who actually put it all together are Research and Development. They work for Chief Moore, Chief of the Department.

LEG. O'LEARY:

Okay. So, if we •• those of us who are on the task force for police staffing who want to make a specific request, should then we go through the Chief of the Department? Is that what you're suggesting?

CHIEF McELHONE:

Or the Commissioner, yeah; that would be my suggestion, yes.

LEG. O'LEARY:

Okay. Thank you.

CHAIRMAN CARACCILOLO:

Chief, on a similar but not directly related issue, overtime in the department, is that information you would be privy to?

MR. McELHONE:

Oh, yes.

CHAIRMAN CARACCILOLO:

As of today, what do the numbers look like? Again, using last year as a comparison or the year before that. Is it up, is it down, is it significant in one direction or the other?

CHIEF McELHONE:

It's up, but I wouldn't say it's a significant up. We have •• you know, we have staffing issues that we're adjusting with overtime. We've had situations that have required overtime. We've had a contract now that the Superior Officers Association has last year and this year's raises in it. So,

the overtime numbers are slightly up at this point.

CHAIRMAN CARACCILOLO:

Okay. So, essentially what's driving the increase right now are new contractual obligations?

CHIEF McELHONE:

Overtime is always personnel. It's, you know, paying overtime to people that have to be where they're needed. Sometimes it's situational, an incident will drive it. Other times it's that we have to backfill and have enough people out in staffing. And those are the numbers that are driving it most of the time.

CHAIRMAN CARACCILOLO:

Unlike Nassau County, Suffolk County Policemen do not have a minimum staffing level.

CHIEF McELHONE:

That's correct.

CHAIRMAN CARACCILOLO:

Are you at all familiar with a flier that's been mailed to residents in the Town of Huntington?

CHIEF McELHONE:

I've heard of it. I haven't seen it.

CHAIRMAN CARACCILOLO:

So, you're not familiar with the flier that I have here. Mr. Zwirn? Ben, could you come up, please? Thank you, Chief.

Ben, are you familiar with this flier?

MR. ZWIRN:

No.

CHAIRMAN CARACCILOLO:

Okay. On the horseshoe this morning •• I don't know where it comes from but it does have a photograph of the Commissioner and the County Executive on it. I haven't even had a chance to read it yet. But it does say here "Thanks to the Police Department's reforms implemented by the County Executive and Police Commissioner" and then it cites a number of, you know, facts, taxes are down, crime is down and so forth. It almost looks like a political campaign piece.

MR. ZWIRN:

I haven't seen it. It doesn't have Legislator O'Leary's name at the bottom of it, does it?

CHAIRMAN CARACCILOLO:

Unfortunately, it has no one's name on it, so we don't know where it came from. There is an indicia on here that the postage was paid permit number 156, which you can be certain I will find out where that permit number belongs; to who it belongs. But it does seem rather bizarre that, you know, someone would put this out with the picture of the County Executive and the Police Commissioner.

MR. ZWIRN:

I can't explain it.

CHAIRMAN CARACCILOLO:

So, you don't know if this has been paid for and mailed at taxpayers' expense or otherwise?

MR. ZWIRN:

No, I don't know that. I would doubt that, but I have no idea.

CHAIRMAN CARACCILOLO:

Okay. Well, that's helpful. I mean, because that would cause some concern ••

MR. ZWIRN:

Sure.

CHAIRMAN CARACCILOLO:

•• if it was without authorization.

MR. ZWIRN:

Was it mailed to the entire •• to a particular •• you wouldn't know just by looking at one.

CHAIRMAN CARACCILOLO:

I only have one. It does say Huntington residents on the top of it. It does have someone's name that was whited out, so I don't know who it was mailed to. But, thank you.

I wanted to follow•up with you now on the proposal we started to discuss a little bit earlier on. And that is the ••

LEG. O'LEARY:

Through the Chair?

CHAIRMAN CARACCILOLO:

Yes, Legislator O'Leary.

LEG. O'LEARY:

May I just ask a question with respect to what ••

CHAIRMAN CARACCILOLO:

To the flier? Sure.

LEG. O'LEARY:

Yes. On the •• Ben, on the back of this flier, apparently it went to all Huntington residents. And it does state various statistics or alleged crime down, etcetera, etcetera; but in the lower right•hand corner, there's an indication of when it was printed. And I think •• it appears it was generated out of the County print shop. At least the number •• you know, the code number that's down there. I think that would •• so, I mean, that's why ••

obviously we're looking into this. I mean, you claim you're unaware ••

MR. ZWIRN:

I'm not •• I have no idea what you're talking about. But if you make a copy of it available to me, maybe I'll find out.

LEG. O'LEARY:

You can have this copy.

MR. ZWIRN:

Sure.

CHAIRMAN CARACCILOLO:

We'll be happy to. Okay. Let's go back to the proposal that you say will be introduced or laid on the table before tomorrow's deadline.

MR. ZWIRN:

Right. Let me get my notes.

CHAIRMAN CARACCILOLO:

Again, based on •• oh, okay, take your time. Thank you.

Based on some very limited media commentary on this initiative by the County Executive and your earlier remarks, could you •• I understand •• if I understand, rather, what you started to say earlier is that Mr. Levy's proposing to repeal the home heating oil tax by a full one percent based on discussions with the state. Was it •• whom in the state, Ben?

MR. ZWIRN:

Give me a second.

CHAIRMAN CARACCILOLO:

Was it Tax and Finance?

MR. ZWIRN:

Department of State Taxation and Finance.

CHAIRMAN CARACCILOLO:

Okay.

MR. ZWIRN:

And I can even give you the names of the individuals if ••

CHAIRMAN CARACCILOLO:

Okay. That's fine if you want to provide that information, I'll be happy ••

MR. ZWIRN:

I can give it to you. It was Terence Boyle, the Acting Commissioner and Counsel, Patricia _Hasog Pinto_ , Senior Attorney and Bruce Caster, Deputy Commissioner and Counsel. And their office is up in Albany.

CHAIRMAN CARACCILOLO:

Okay. So, it would be a full one percent repeal?

MR. ZWIRN:

Yes.

CHAIRMAN CARACCILOLO:

Which would reduce the tax to what level?

MR. ZWIRN:

Well, it would be another one and a half percent from two •• it would be one full percent down. So, it would be ••

CHAIRMAN CARACCILOLO:

It would remain at one and a half as opposed to today's 2 1/2%?

MR. ZWIRN:

Correct. Correct.

CHAIRMAN CARACCILOLO:

And how much is it anticipated would be generated in savings to the

consumer? The average consumer would save how much?

MR. ZWIRN:

There was a difference of •• I believe there was a difference of \$23 and 30 some odd dollars.

MR. SPERO:

Robert's going to check his file.

CHAIRMAN CARACCILOLO:

Okay. I think it was a nine dollar difference or something. Okay. Now, you have provided us •• I thank you for handing out the offsets. There are 12 offsets identified. A total of \$11.5 million. So, that's the amount of revenue that would be lost as a result of the repeal? Is that correct? Is that the full amount? The 11.5?

MR. ZWIRN:

I believe so.

CHAIRMAN CARACCILOLO:

Is there any way we can verify that? Does Bob Borzfield know? Did the Budget Office prepare an FIS on this? Your Budget Office?

MR. ZWIRN:

I believe this is the result of it with the actual •• the detailed ••

CHAIRMAN CARACCILOLO:

Okay.

MR. ZWIRN:

The detailed cuts.

CHAIRMAN CARACCILOLO:

Okay. Well, I have a feeling that a number of members of the minority party, when they look at these offsets that are attacking legislator prerogatives and initiatives, they may not be too sympathetic. Has the County Executive canvassed his caucus to find out if there's support there

for this resolution?

MR. ZWIRN:

I think ••

CHAIRMAN CARACCILOLO:

Because I may support it.

MR. ZWIRN:

Well, we would hope so. I think he ••

CHAIRMAN CARACCILOLO:

I like games of chicken little, but •• because I know how the game is played.

MR. ZWIRN:

I think he's just •• he's indicating, I think, where pain will be felt with the loss of this kind of revenue in the County, what would be real dollars.

CHAIRMAN CARACCILOLO:

I'm sorry, Ben, what was the last comment?

MR. ZWIRN:

That what real dollars would look like if you removed this kind of revenue from the budget. He wanted to have a real offset that •• that you could see in black and white and where the pain would be felt.

CHAIRMAN CARACCILOLO:

What's conspicuously absent is any attempt on the part of the executive branch to share in the cost saving. For example, we have eliminate funding for legislative vehicles \$150,000. How many executive assigned vehicles would be part of this offset?

MR. ZWIRN:

I don't think there are •• I don't think there are many. I think there's

maybe one or two vehicles in the •• that we have over there. I mean, there aren't that many. I have never used one. So, I have never ••

CHAIRMAN CARACCILOLO:

Well, if you look at the table of organization, the County Executive's Office is more than just you, the Deputy County Executive; okay?

MR. ZWIRN:

I understand that.

CHAIRMAN CARACCILOLO:

I mean I know what the TL looks like. So, there are other agencies that fall under the umbrella of the County Executive. Directly under. Report directly to your office. So, I'm saying to myself, I may be willing to go along with this, but who else is willing to go along?

MR. ZWIRN:

I don't know. We'll file it and we'll see.

CHAIRMAN CARACCILOLO:

Okay. At this time I'm going to share the wealth and we'll start this time on my right and work our way across the horseshoe to my left. We'll start with Legislator O'Leary if he has any questions or comments and then we'll go right down the line. Peter?

LEG. O'LEARY:

Not at this point.

CHAIRMAN CARACCILOLO:

Legislator Losquadro.

LEG. LOSQUADRO:

Just quickly about the question of the vehicles. I know I had questioned the Labor Commissioner about this. And it's something that as a former employee of an insurance company was of great interest to me. And I just received a report back from the Labor Department. And it was very disturbing. Because we have people who are in positions where field work is

mandated. It's part of their job description. And I know it's very convenient to go out and say that taking cars away from people is some sort of great political maneuver and it's going to save taxpayers lots of money; when the fact of the matter is we are now putting those employees at risk because they have to suffer the liability exposure when they're out on the road.

The report was given to me by the Department of Labor that says •• because I'm sure you know New York State Insurance law the vehicle's insured and the insurance follows that vehicle. It's not like other states where you're insuring an individual. So, when the person uses their own car, they open themselves up to tremendous liability exposure for a portion of their job that is mandated. It's part of their job description. So, this sounds very good. It's a great political hit, but in reality this is an extremely unfair practice to the employees of this County or even for myself for that matter. As a public servant, I am mandated to be at a number of functions such as this; at many organizations within my community where my presence is requested. And I would have to open myself up to that type of liability exposure to be using my own vehicle even if I were reimbursed for that mileage. I find that to be an unfair practice and completely unacceptable to me being that I have a background of over ten years in the insurance industry. And I know the type of liability that can be incurred. And I think that we could open ourselves up to potential lawsuits from employees whose job function mandate that they be out on the road. And if they were involved a severe accident where they were sued personally, I'd feel we could open ourselves up to liability from employees who would then look to recover damages from Suffolk County for putting them in that position.

So, this is something that needs to be taken seriously into consideration; instead of just saying, oh, let's just take cars away from people because the public will like that. It sounds good. There are deeper, very important issues to be discussed here when discussing liability. So, I just wanted to put that on the record.

MR. ZWIRN:

I understand. And I don't think the County Executive directed this at any of the Legislators who have vehicles because he understands that that's the

case. With respect to other employees of the County, he has suggested, I think, in the past, and, again that there be pool cars used if somebody in a situation as you suggested, Legislator Losquadro, needs to go out on a job for the County ••

LEG. LOSQUADRO:

Mr. Zwirn, if I could just interject, right now the Labor Commissioner tells me that we have employees using their own vehicles going out on County business. So, they themselves are open to that liability exposure. So, you know, we may say that we're doing that, we may say that there's pool cars available, but the reality of the situation is we're not replacing vehicles when they go down, we do not have enough pool vehicles, we do not have enough full•time vehicles. And many times it's much more conducive for someone to leave home and go straight to a field site, as I did when I was an insurance company representative, I had a car that I took home with me, and I would go straight to a job because it wasn't practical for me to go to Melville, pick up a pool vehicle, and then, say, go back out to Greenport. I covered the east end of Long Island. Suffolk County is very large geographically and it's just not practical sometimes.

So, in cases like this, it may be politically expedient to say that we're going to remove cars, but the reality of the situation is right now we have people who are opened up to personal liability exposure because they are using their personal vehicles for mandated job functions. And I find that to be extremely unfair.

CHAIRMAN CARACCILOLO:

Legislator Lindsay.

LEG. LINDSAY:

No, I'll hold my comments.

CHAIRMAN CARACCILOLO:

Legislator Alden.

LEG. ALDEN:

Thank you, Mr. Chairman. Ben, I'm looking at this and laughing a little bit.

But, also some of your comments, and just to back up a little bit for the history, I put a piece of legislation in that was aimed to help the people in their house in Suffolk County on affordability basis. In reaction to that introduction of that piece of legislation, the County Executive vehemently said that he was opposed to any elimination of tax or any reduction of tax for home energy use. Then, history, the County Executive got religion somewhere in there, within a matter of days. And he comes up with his own. And this I find incredible and I find your statement very, very revealing. That when he starts looking at offsets, this is to teach us a lesson of where real dollars would come from. So, basically what you've said is that the County Executive had no idea of having something like this pass. This is to, number one, teach a lesson to the legislators where real dollars like this would come from.

And I'm glad Judy stayed, because, Judy, it wasn't my bill. I'm going to share with you a list of the cuts. And some of these are horrendous. These are all public service. These are from the County Executive. So, I'm glad you did stay because I was wondering you were down talking about my bill, which I never proposed to cut services to people in Suffolk County. But now I find this piece of legislation that we're looking at •• now I applaud the County Executive for getting that religion. Because a 1% cut to the folks in Suffolk County, I don't care if it's \$20 or \$30, that money belongs in their pocket. We should not take advantage of the fact that home energy costs went up; skyrocketed up. And we have huge windfall profits that we have actually reaped as a reward of that huge rise. But that's on the back of the taxpayers.

So, I'm glad that the County Executive got religion and flipped•flopped from his initial "I'm opposed to any cuts", "I'm opposed to giving back anything" to now "let's make it a 1% cut." But you know what? I am really, really, really •• I would be embarrassed for the County Executive to have to try to defend this. Coming before this body and saying, look, I'm serious about getting this legislation passed; but what I want to do is I'm going to cut your salary, I'm going to take away your cars, I'm going to take away the people that work for you, I'm going to take away their salaries. I'm going to cut any of the money that you put in the budget to help folks and the contract agencies that help all the people in Suffolk County, those are the things ••

I'm going to teach you a lesson where real cuts come from.

And you know what else I'm going to do, though? I'm going to ignore the fact that I've got real cuts that I can make in my department. Like three high paid Chief County Executives. Deputy Chief County Executive. Unheard of anywhere that I've ever heard of or seen. But here in Suffolk County, we have got three of them. High paid. Very high paid salary across the board in the County Executive's Office. But he chooses to ignore anything on that side. It's all over here to teach us a lesson.

So, when he gets real and wants to get serious about actually helping the people in Suffolk County, then come back with a different funding source for it. And now we can have the discussion. Because I'm glad he's on the same page as a lot of us, that he wants to see some good done for the folks in Suffolk County. But this is absolutely •• this should be an embarrassment to him. If he wants to be taken seriously, stop acting like this. Because this is just a joke. A bad joke. And we don't need a lecture as far as what eight or nine or \$10 million looks like in real cuts. This legislative body has done that. We've made the tough decisions in the past. And we've put Suffolk County in a financial great footing. So, he doesn't have to lecture us where real dollars come from and show us that it could come out of your •• our salaries and our employees' salaries and hurt us over on the legislative side. So, that's just a bad joke. Not meant as a question; as a comment. You could take it back. Thank you.

CHAIRMAN CARACCILOLO:

Mr. Zwirn.

MR. ZWIRN:

Yes.

CHAIRMAN CARACCILOLO:

Just on the issue of salaries.

MR. ZWIRN:

Oh, can I just respond?

CHAIRMAN CARACCILOLO:

Oh, we're not going to get into rebuttals here.

MR. ZWIRN:

Okay.

CHAIRMAN CARACCILOLO:

This is Q and A from the horseshoe. And I'll be happy privately to talk to you. And I think if you have questions for Legislator Alden, you should talk to him privately after the Committee meeting. But, you know, I have considered, and I know there isn't legislative support so let me find out if there's executive support for across the board 10% salary cut for all elected officials. Would the County Executive support a 10% pay cut?

MR. ZWIRN:

For all elected officials?

CHAIRMAN CARACCILOLO:

Yes, including himself?

MR. ZWIRN:

I would have to ask him. I don't ••

CHAIRMAN CARACCILOLO:

Okay. I'd like to know because the likelihood of that passing is little to none. And I would predict now that the likelihood of this passing in its current form with its current offsets is little to none. And as Judy should know as Legislator Alden just enumerated, take a look at this attachment A because it strikes from •• I don't know if it's every contract agency, but certainly a lot of contract agencies •• funds from the current year's budget. The very thing that we heard earlier was left whole; that it was even increased in some cases for some agencies based on what I would assume was the merit.

So, looking at item number two, Ben, on your 12 item offset list, it says eliminate spending increases that exceed the rate of inflation \$9.1 million. What does that relate to? This sheet here, Ben?

MR. ZWIRN:

Yeah, I know, but I'm looking at it on the back up sheet.

CHAIRMAN CARACCILOLO:

Is that 9 million coming off the contract agencies? 630 is contract agencies? One alone is \$2 million. Yeah, I'd like to know what that 9.1 million represents. Mr. Bortzfield, would you like to answer the question? I'm assuming your office prepared these documents; correct?

MR. BORTZFIELD:

That's correct.

CHAIRMAN CARACCILOLO:

Okay.

MR. BORTZFIELD:

The numbers that were in there were based on the additional amounts that were added during the legislative process; in the omnibus bill for the adoption of the 2005 operating budget.

CHAIRMAN CARACCILOLO:

So, these would be cuts to contract agencies?

MR. BORTZFIELD:

Yes, it would.

CHAIRMAN CARACCILOLO:

Okay. Now the •• could you tell me what the impact would be to the Sachem Little League?

MR. BORTZFIELD:

I couldn't tell you what the impact would be to any one of them. What we put in the County Exec's proposed budget for 2005, we added increases to contract agencies pretty much across the board in the 2% range, two and a half percent range. These were increases that were made over and above that during the legislative process.

CHAIRMAN CARACCILOLO:

Okay. Apparently the way this was collated, they're in different sequence on some of ours. On page one of Legislator Carpenter's copy, which is not the same as my page one, it mentions Sachem Little League. And they received in '05 adopted 15 thousand; and not modified they would get a \$4500 reduction. But every other one is zeroed out. It's interesting. I mean, I guess that's just coincidence.

LEG. O'LEARY:

Through the Chair, please?

CHAIRMAN CARACCILOLO:

I would just say really, you know, Ben, I've said this privately; I've said it publicly. I'm going to say it again. Let's get real. Okay? This afternoon we're going to find out if the number's 90 million, 30 million or something in between. Whatever it is, it's March. At this time last March we were well on our way. And I will give credit where credit is due. The County Executive did submit a budget reduction plan. There was copycat, if you will, substantially by the Legislature. But at the end of the day, there was over \$100 million in budget reduction. Real budget reduction. So, I'm not partison when it comes to sharing credit. However, I want to do the job that we were elected to do. And the earlier we begin to do that by identifying the extent of the projected shortfall, the better we will all be. Democrats have to run for re•election this year just like republicans. The County Executive doesn't have to run. And I know the game. In September he'll submit a budget that's within the budget caps and throw it on the plates of democrats and republicans alike to find ways to amend that budget without piercing caps; but yet provide the very services that we've agreed in the past are essential to County residents. Let's stop playing the game. That's my message today.

MR. ZWIRN:

I can just say that the experience that I've had in government is generally when the County Executive sends over a budget, its the Legislature that cuts expenses in the budget. But it has not been the situation in my first year.

CHAIRMAN CARACCILOLO:

But we're not going to go into chapter and verse, you know, past history. I can tell you it's usually been the other way around but, you know.

MR. ZWIRN:

It wasn't that way in Nassau.

CHAIRMAN CARACCILOLO:

Okay.

LEG. LINDSAY:

Mr. Chair.

CHAIRMAN CARACCILOLO:

Okay. Yes, Legislator Lindsay.

LEG. LINDSAY:

First of all, I couldn't agree with the Chairman more in terms of, you know, both sides getting together and let's identify what we're looking at. I don't think if we were facing a possible deficit that we could address it in September. I think we have to start talking about it now. And I agree with you wholeheartedly on that. But it starts with some concise numbers between Budget Review and the County Executive's Office. And I think we really need that before we make any kind of intelligent choices as to where we're going to make any cuts this early. I mean we're only in the first quarter of our operating budget. We just passed the budget a few months ago. So, I'd like to see what the projections look like and if both sides, both the Executive and the legislative branch, agree on that number. And then we can work towards solving that early.

CHAIRMAN CARACCILOLO:

Okay. Thank you very much for those remarks, Legislator Lindsay. Mr. Zwirn and Mr. Bortzfield, can you provide us with some assurance that when we meet in two weeks on the 22nd, that we can have some iron clad agreement on the numbers? I know there was supposed to be a meeting

last Friday. Unfortunately the Budget Review Office was not available. So, I applaud the outreach from the executive branch to have that meeting. But it's going to take place this afternoon. And we'll be back here in two weeks. And if we have to start putting together a budget deficit reduction plan, we have to start now because we know that if we're talking about personnel issues, there's a lag time before those savings would materialize. And I'm not suggesting that that's the only solution, but I don't know what the extent of the problem is. I would think within \$90 million, it's not a problem because we have over a \$110 million tax stabilization fund that •• I know the Executive doesn't want to tap all of that and nor would be it prudent for us to do that. But we have contractual obligations coming up. We have increase in fuel costs, just like the consumer does. So, there's a lot that we have take into account. And the sooner we do that, the better.

So, in two weeks, can I have assurances that we'll be back here with some real numbers trying to put together a plan collectively to address whatever we agree •• you know, the State after 20 years •• more than 20 years of adopting late budgets, this year because the public and the media has put a spot light on them, they're meeting. The Governor and the Speaker and the Majority Leader are meeting in the public and talking about their problems and ways to resolve that problem and try to adopt a budget by April 1st. That's long overdue. We've had a tradition here of doing that all along. And I just want to do it sooner rather than later. So, your comments.

LEG. O'LEARY:

First through the Chair, please? Just a question I have.

CHAIRMAN CARACCILOLO:

Yes, Legislator O'Leary.

LEG. O'LEARY:

Just so I understand it clearly, Mr. Bortzfield, what is here in front of us, this sheet here, which refers to the total number of \$11.5 million in projected savings, if Mr. Levy's resolution is approved, is quite clear as to where he expects to get the monies from. And I'm assuming that this appendix totals all the changes. Totals the 11.5 million that is on the front cover sheet; is that correct?

MR. BORTZFIELD:

Yeah. It should, yes. It should.

LEG. O'LEARY:

All right. So, then in approaching the savings that he projects as a result of an offset, all of these contract agencies would be reduced by the indicated amount?

CHAIRMAN CARACCILOLO:

That's correct.

LEG. O'LEARY:

Yeah. I just wanted •• I know that. I wanted to put it on the record.

MR. ZWIRN:

I believe that to be the case, yes.

LEG. O'LEARY:

Is that true?

MR. ZWIRN:

I believe so, yes.

LEG. O'LEARY:

So, in other words, this 11.5 cover sheet, the appendix are the changes in the adopted '05 budget reaching that 11.5 number?

MR. ZWIRN:

I'd have to look at it again, Legislator O'Leary. I believe that's the case, but I'm not sure. I just took this ••

CHAIRMAN CARACCILOLO:

Legislator O'Leary, we did have an acknowledgement a short time ago by Mr. Bortzfield that item two, the \$9.1 million ••

LEG. O'LEARY:

Right.

CHAIRMAN CARACCILOLO:

That relates to attachment A, the contract agency cuts.

LEG. O'LEARY:

All right. So, the others are from other items within ••

CHAIRMAN CARACCILOLO:

Yeah, at the very back of attachment A is a break down showing all of the other line item cuts.

LEG. O'LEARY:

Yeah. Well, that's part of appendix A.

CHAIRMAN CARACCILOLO:

Right.

LEG. O'LEARY:

But the total ••

CHAIRMAN CARACCILOLO:

But contract agencies is \$9.1 million.

LEG. O'LEARY:

Right. But the total of appendix A should come to about 11.5?

CHAIRMAN CARACCILOLO:

Correct. Okay. Bob, did you want to respond?

MR. BORTZFIELD:

Just •• I can't give any more assurances than I've given last time. We've been, you know, trying to get together with BRO since the last meeting to go over the numbers. That unfortunately has not come off.

CHAIRMAN CARACCILOLO:

It will happen today.

MR. BORTZFIELD:

Well, we'll have one meeting today, yes. Whether we'll get this all squared away in today's meeting remains to be seen.

CHAIRMAN CARACCILOLO:

Well, that's my point, though.

MR. BORTZFIELD:

But at least we'll be •• we have been attempting. We will continue to try to do that.

CHAIRMAN CARACCILOLO:

That's my point. Between now and the next committee meeting, 14 days, if you have to meet three, four times, five times, however many times you have to meet to come to some consensus, then we could start to address the issues that we have to address. The public won't accept any less. That's all I'm requesting.

MR. BORTZFIELD:

Okay. You definitely have the Executive's committment.

CHAIRMAN CARACCILOLO:

Good. I know we have Budget Review's committment. Jim, right?

MR. SPERO:

That's right. We're going to meet this afternoon. And we'll see if we can come to an agreement. However, mindful of the fact I do not want the Budget Review Office to be co•opted into signing into a •• signing onto a number when the numbers are subject to change very drastically between now and budget time.

CHAIRMAN CARACCILOLO:

No one would ask the BRO to ever sacrifice its independence. I mean that's truly what makes you distinct and different than everybody else.

MR. SPERO:

Well, clearly that was the •• I believe that was case that was attempted last year.

CHAIRMAN CARACCILOLO:

Okay. All right. I thank you all. Any closing comments?

MR. ZWIRN:

Well, I could answer some of the questions that you've raised prior. One, Legislator Carpenter said that she had heard that •• what the police from General Services •• the officer from General Services had indicated. The Chief indicated •• is on the table. It's not something that has been decided about sliding the class back from March to the fall and putting them through together. And perhaps taking the academy instructors and putting them out of the street for the summer because the class would not be out in time to be on the street for the summer. There would be a savings there of about •• they estimate \$1.5 million. But it's not something that has been decided. It is something that is still on the table. So, the information that you have is correct with respect to that.

With respect to the fliers, the fliers were sent out by the County Executive's Office to the community in Huntington to dispel the information that had been put out. And they were getting calls from the Community Services at the County Exec, people were frightened about not having enough police protection. So, that flier was sent out in response to information that had gone out, I guess, from the PBA.

CHAIRMAN CARACCILOLO:

Could you ascertain for us the cost associated with the flier?

MR. ZWIRN:

I don't have it before me. But I'll ••

CHAIRMAN CARACCILOLO:

No, I know you don't have it today.

MR. ZWIRN:

But I'll get it for you.

CHAIRMAN CARACCILOLO:

Okay. All right. And we're going to have that information for the next Public Safety Committee in a half hour that was we spoke of earlier about the about the retirements. Okay?

MR. ZWIRN:

Oh, okay.

CHAIRMAN CARACCILOLO:

Thank you. Thank you very much. Okay. We'll go to the agenda.

We have Tabled Resolutions before us. Is there any motion on **1978 (Directing the County Treasurer and County Comptroller to provide for the equitable distribution of auction proceeds)**? Motion to table by Legislator O'Leary.

LEG. LINDSAY:

Well, the only thing I wanted to say is that the sponsor isn't here today and he's, you know, he's away on vacation. And that he asked it be tabled until he could address the issue.

CHAIRMAN CARACCILOLO:

Okay. Thank you. We have a motion and a second by Legislator Lindsay. All in favor? Opposed? Unanimous. **(Vote: 6•0•0•1. Legislator Montano not present)**

2219 (Adopting local law number 2004, a Charter Law to provide for fair and equitable distribution of public safety sales and compensating use tax revenue), that's the Chair's resolution. We recessed the public hearing. The Chair does intend to move on this

resolution at the next Committee meeting. I would suggest that any committee members who have unresolved issues to correspond directly with the Chair so we can hopefully move on this in two weeks. Motion to table by the Chair, second by Legislator Carpenter. All in favor? Opposed? Abstentions? Unanimous. **(Vote: 6•0•0•1. Legislator Montano not present)**

We have a tabled sense resolution. **(S.005 Sense of the Legislature resolution in opposition to the elimination of the Federal tax deductibility of state and local taxes)**. Is there a motion?

LEG. LINDSAY:

I would again continue to table this resolution because I haven't had a direction from the sponsor.

LEG. O'LEARY:

Second.

CHAIRMAN CARACCILOLO:

We have a motion and a second by Legislator Lindsay and Legislator O'Leary. All in favor? Opposed? Abstentions? Unanimous. **(Vote: 6•0•0•1. Legislator Montano not present)**

Tabled home rule message **(HR•01 Home Rule Message requesting New York State Legislature to extend the one•quarter cent sales tax program to allow Suffolk County to continue to collect an additional sales tax until December 31, 2005)**. This has to be tabled. We're waiting for the bill numbers out of Albany. Motion by Legislator Carpenter, second by Legislator Alden. All in favor? Opposed? Abstentions? **Tabled. (Vote: 6•0•0•1. Legislator Montano not present)**

Now, we'll go to Introductory Resolutions. **1093 (amending the 2005 Operating Budget transferring appropriations and a position to the Department of Health Services to promote cancer awareness)** Motion by the Chair, second by Legislator O'Leary.

LEG. LINDSAY:

On the motion.

CHAIRMAN CARACCILOLO:

On the motion, yes.

MR. SPERO:

Mr. Chairman. 1093 is also contained in IR 1129. 1129 disbands in the budget the Environment and Energy Department completely, which the component that's in 1093 is included in that resolution.

CHAIRMAN CARACCILOLO:

There are two components in 11 •• I mean in 1093. Is there not a position •• is this the position? Okay. And that would be repealed under the Presiding Officer's resolution.

MR. SPERO:

It's repeated in that resolution.

CHAIRMAN CARACCILOLO:

It's repeated.

MR. SPERO:

Yes.

CHAIRMAN CARACCILOLO:

Okay.

LEG. LINDSAY:

Why I wanted the floor, what I wanted to say is that this position originally appeared in the County Executive's bill to create the Environmental Department, which ••

CHAIRMAN CARACCILOLO:

Correct.

LEG. LINDSAY:

•• is still in a state of limbo. The Presiding Officer had to remove it from

that department. Now, you have another one.

CHAIRMAN CARACCILOLO:

They're in conflict so I am going ••

LEG. LINDSAY:

I would just hope that we could give a little bit more time to see what we can do with the conflicts, to resolve them.

CHAIRMAN CARACCILOLO:

Okay. Well, I'm going to table 1093, keep it alive. And we'll move right along.

LEG. CARPENTER:

Motion to table.

CHAIRMAN CARACCILOLO:

Motion to table by Legislator Carpenter, second by the Chair. All in favor? Opposed? Abstentions? Unanimous. **(Vote: 6•0•0•1. Legislator Montano not present)**

1094 (amending the 2005 Operating Budget and transferring funds from the Smithtown Health Clinic for the contract agency, Pederson •Krag Act Team to the Wyandanch Health Clinic for the contract agency Pederson •Krag Clinic, Inc.)

LEG. ALDEN.

Motion to approve.

CHAIRMAN CARACCILOLO:

Motion to approve by Legislator Alden.

LEG. O'LEARY:

Second.

CHAIRMAN CARACCILOLO:

Second by Legislator O'Leary.

LEG. LINDSAY:

I have a question.

CHAIRMAN CARACCILOLO:

On the motion.

LEG. LINDSAY:

Yeah, just to Budget Review. I mean this is a seamless transition of the money from one program to another? There's no cost ••

MR. SPERO:

There are two different contracts with Pederson•Krag. So, it just moves the money between them.

LEG. LINDSAY:

Thank you.

CHAIRMAN CARACCILOLO:

I have a motion, a second. All in favor? Opposed? Abstentions? Approved.
(Vote: 6•0•0•1. Legislator Montano not present).

1101 (amending the 2005 Operating Budget and transferring funds for the purchase of an Echo Doppler Machine for John T. Mather Memorial Hospital) Is there a motion?

LEG. LINDSAY:

Well, sponsor was here earlier and asked that it be tabled at this time.

CHAIRMAN CARACCILOLO:

Motion by Legislator Lindsay, second by Legislator Losquadro. All in favor? Opposed? Abstentions? Unanimous. **Tabled. (Vote: 6•0•0•1. Legislator Montano not present)**

1103 (amending the 2005 Operating Budget transferring funds to the IGHL Foundation for maintenance of the TWA Flight 800

Memorial at Smith Point County Park)

LEG. O'LEARY:

Motion to approve.

LEG. CARPENTER:

Second.

CHAIRMAN CARACCILOLO:

Motion to approve by Legislator Lindsay, second by Legislator Carpenter. All in favor? Opposed? Abstentions? On the motion, Mr. Zwirn?

MR. ZWIRN:

The County Executive is just going to ask when the Budget Review Office today meets with the County Execs Budget people, it's the offsets that I think are of concern to the County Executive. This is coming out of the police overtime account, I believe. This is Pay•As•You•Go. The Pay•As•You•Go and the police overtime are areas that the County Executive has asked me to present to you. If we could find other offsets for some of these projects. Some of them he thought would have been part of the member item process. But if it's not going to be that way, could we find some different numbers so that the Pay•As•You•Go money may be available in case there is a shortfall so we don't take it off the table yet. The police overtime, which will be coming up on some of the offsets, if we could use different offsets, perhaps working together with the Budget Review Office, it would be more helpful, I think, during the budget process. And police overtime, not on this particular one, but it has been hit earlier when they took about •• I think the Legislature took about almost a million dollars to create 22 police positions. And it came out of the overtime budget. They're trying to work closely with the overtime budget. And what will happen if money keeps coming out of that particular line, they're certainly going to bust right through it.

CHAIRMAN CARACCILOLO:

Is it not fair to say that based on the current trend of retirements, however, there would be a surplus in severance pay payouts this year?

So, maybe that's an offset account we can look at.

MR. ZWIRN:

Well, there are probably a number of them that you can probably look at. And we just ask that we do it cooperatively so we don't •• it's not a shot across the bow at a particular project. It's just if we could find a better way to fund it.

CHAIRMAN CARACCILOLO:

Okay. We appreciate your comment. And I would look forward to a list from the County Executive that we can share with the Legislature. That when they have initiatives like this, we can take into account something that you feel is a viable offset. Legislator Losquadro.

LEG. LOSQUADRO:

I think Bill was before me.

CHAIRMAN CARACCILOLO:

Okay. I didn't see him first, but go ahead.

LEG. LINDSAY:

I just had a question for the sponsor. Is this time sensitive, Legislator O'Leary? I mean, do we have an urgency to move forward with this? And I •• you know, I think this particular project is almost a capital project that I think is beyond the scope of the being taken out of, you know, legislative initiative type of things. We're talking about \$70 thousand.

LEG. O'LEARY:

If I may respond?

LEG. LINDSAY:

Sure.

CHAIRMAN CARACCILOLO:

Go ahead.

LEG. O'LEARY:

In 1999, this body with the County Executive's approval passed the

resolution authorizing the construction and erection of the memorial at Smith Point County Park for the TWA Memorial. And as part of that resolution, there was an obligation and responsibility on the part of the County to maintain the properties there at the County expense. That has not been done since 1999. And the advocates of the memorial approached me about, perhaps, addressing that issue and appropriating some moneys to see that those responsibilities are, in fact, carried out by way of maintenance. And that's what this does. And it was under the Pay•As•You•Go for this particular year. It is my hope this will be an on going annual funding and perhaps in the future we can address it under the capital project or operating budget. The operating budget. But as of now there is a need for this. It's in dire need of maintenance and cleaning up. And the volunteers that have been going down there have been minimized over the years. And there is an attempt on the part of the advocates to get the IGHL Foundation who have agreed to supply the workers to maintain the properties on a regular basis. And that's the whole intent and purpose of this particular resolution.

CHAIRMAN CARACCILOLO:

Jim, how much money is in Pay•As•You•Go?

MR. SPERO:

About eleven and a half million, I think, was the adopted number.

CHAIRMAN CARACCILOLO:

And how much has been drawn down so far?

MR. SPERO:

Well, so far in adopted resolutions, I think, it's 200,000.

CHAIRMAN CARACCILOLO:

Okay. Legislator Losquadro.

LEG. O'LEARY:

There's certainly enough money in the Pay•As•You•Go.

CHAIRMAN CARACCILOLO:

That's why I made that point.

LEG. O'LEARY:

Thank you, Mr. Chair.

LEG. LOSQUADRO:

Mr. Zwirn, I just wanted to point out a small conflict in something that you just said. You were discussing potential offsets or alternate funding sources for projects like this. And you stated that the County Executive was hoping that items like this would be addressed in member item or discretionary budget items so they could propose to be cut in a document like this.

MR. ZWIRN:

Well, that's the 2006. This we're talking about right now. So, it'll be adjusted for next year how you want to spend the money, but this is 2005. And, again, this is not of any •• it's not a criticism certainly of the project or the amount of money being spent. It's just on a global scale, just start to see if we can identify other offsets that could be used for some of these projects. That's all.

LEG. LOSQUADRO:

Thank you. But it's still •• it's still a conflict in that this is a proposal for next year. This would be a reduction in energy tax that would be recurrent. So, I would assume that the County Executive would make a similar proposal next year. It seems rather disingenuous to say that we should look to put things in member item when we have a document in front of us that's cutting the majority is the member item grants that we have given to local organizations to help them survive. So, when you said it, I just wanted to put it on the record. It seemed rather a conflict to me in terms of asking to fund certain projects like this out of our discretionary funds and then to have a document sitting right in front of us that proposes to cut those same funds regardless of the year they're in. So, I just wanted to make that statement. Thank you.

MR. ZWIRN:

All I could say with respect to Legislator O'Leary, this is going to be a recurring expense. And that's why next year it'll be better taking this in the

Operating Budget so it is recurring because we're using Pay•As•You•Go one shot, which may not be there next year. So, that's all.

LEG. O'LEARY:

That was my point, Mr. Zwirn. To address not only that statement but Legislator Lindsay's inquiry, there is an emergency need for this money to be appropriated. And next year in the '06 budget we will certainly look to appropriate these moneies in the Operating Budget

MR. ZWIRN:

Thank you.

CHAIRMAN CARACCILOLO:

Okay. Motion, second. All in favor? Opposed? Abstentions? Unanimous.
(Vote: 6•0•0•1. Legislator Montano not present)

CHAIRMAN CARACCILOLO:

1106 (amending the 2005 Operating Budget and transferring funds to the Amityville Police/Firefighter Memorial) Is there a motion?

LEG. LINDSAY:

I'm going to make a motion to table that ••

LEG. ALDEN:

Second.

LEG. LINDSAY:

•• at the sponsor's request. He's looking for a different funding source I was told.

CHAIRMAN CARACCILOLO:

Second by Legislator Alden. All in favor? Opposed? Abstentions? Tabled.
(Vote: 6•0•0•1. Legislator Montano not present)

1110 (amending the 2005 Operating Budget and the salary and classification plan to establish a Compliance Officer to insure accountability) Motion by the Chair, second by Legislator O'Leary. All in

favor? Opposed? Abstentions?

LEG. LINDSAY:

Could we have an explanation on this one? 1110? I'm sorry, I have the wrong one. Yeah, could we have an explanation on this one?

CHAIRMAN CARACCILOLO:

Sure. I'm the sponsor, but I'll let Counsel just give you a brief explanation. It's a position in the BRO office.

MS. KNAPP:

This is a new position, position of Compliance Officer. It's a competitive position. There is an abolishing of a position to balance it. This person will be in BRO. And the function will be to review all expenditures by county employees for travel, supplies and equipment. The minimum qualification is a master's degree in public administration, finance or accounting or related field and six month's government experience.

LEG. LINDSAY:

Financial impact? Is there any financial impact?

CHAIRMAN CARACCILOLO:

No. There's an offset. All in favor? Opposed? Abstentions? Approved unanimously. **(Vote: 6•0•0•1. Legislator Montano not present)**

1111 (amending the 2005 Operating Budget and transferring funds in connection with contracted services for youth, child care and prevention of domestic violence) Motion by the Chair, second by Legislator Carpenter. All in favor? Opposed? Abstentions?

LEG. LINDSAY:

Could we have an explanation.

LEG. LOSQUADRO:

Madam Clerk, am I listed as a co•sponsor on this? If I'm not, please add me.

CHAIRMAN CARACCILOLO:

Counsel, a brief explanation.

MS. KNAPP:

Are we on 1111?

LEG. CARPENTER:

Yes.

MS. KNAPP:

If I may, I'd like to defer to Budget Review Office on this one because it is for the most part a budget ••

MS. VIZZINI:

1111 transfers funds that were included in the '05 Operating Budget in the omnibus that were not exactly in the correct line item as far as the budget was concerned. All of it pertains to the same agency, Domestic Violence Agency. It's going from one section of the budget to the other so that the agencies can get the money and spend it as it was intended.

CHAIRMAN CARACCILOLO:

Thank you, Gail. There was a motion, a second. All in favor? Opposed? Abstentions? Unanimous. **(Vote: 6•0•0•1. Legislator Montano not present)**

1114 (amending the 2005 Operating Budget and transferring funds for the Suffolk County Police Department Mastic Beach Sub•station).

LEG. O'LEARY:

Motion to approve.

CHAIRMAN CARACCILOLO:

Second by the Chair. All in favor? Opposed? Abstentions?

LEG. LINDSAY:

What's the offset here?

LEG. O'LEARY:

Police overtime, 49 thousand.

MR. ZWIRN:

This is one of those where the offsets is of real concern to the County Executive. Again, if we could find another offset for this •• I mean, could we table this? If this isn't time sensitive, could we table it one cycle and perhaps with the two budget offices meeting today ••

CHAIRMAN CARACCILOLO:

You would be forthcoming with a, what you feel, is a bonafide or better offset?

MR. ZWIRN:

I would hope. But again ••

LEG. O'LEARY:

I would have no problem with tabling it for just one cycle for the two weeks.

CHAIRMAN CARACCILOLO:

Okay. We have a motion and a second.

LEG. O'LEARY:

But two weeks we will address this.

MR. ZWIRN:

Absolutely.

LEG. LINDSAY:

On that issue, though, isn't this a follow•up resolution, the one we passed last year, Pete, with •• wasn't there a previous resolution about creating this? And this is funding it?

LEG. O'LEARY:

Yeah. We did approve the creation of it. This is the funding of it.

LEG. LINDSAY:

But at that time, there was a question on would there be cost impact to creating this sub•station.

LEG. O'LEARY:

Yes.

LEG. LINDSAY:

And the answer was yes?

LEG. O'LEARY:

Yes. There was always build out to the specs by DPW. That was always the concern.

CHAIRMAN CARACCILOLO:

Okay. We have a motion to table, second. All in favor? Opposed? Abstentions? Unanimous. **(Vote: 6•0•0•1. Legislator Montano not present)**

1115 (amending the 2005 Operating Budget and transferring funds to Islip Public School District) Motion by Legislator Alden, second by the Chair. All in favor? Opposed?

LEG. LINDSAY:

Question.

CHAIRMAN CARACCILOLO:

Yes.

LEG. LINDSAY:

I hate being the only democrat on this committee.

CHAIRMAN CARACCILOLO:

Well, there is another one. He's not here today.

LEG. LINDSAY:

I know that. That's what I mean. Legislator Alden, is this part of the allotment that was designated to each legislative district?

LEG. ALDEN:

Yes, this money was included in the budget process. I just didn't have enough time to actually type out the specifics. But this ••

LEG. LINDSAY:

The offset is social security, which is a lot of times where money is ••

LEG. ALDEN:

Well, no. I was advised to put the money there until I could draft the resolution.

LEG. LINDSAY:

Okay. I'll second it.

CHAIRMAN CARACCILOLO:

In your view, Mr. Zwirn, this offset's okay?

MR. ZWIRN:

Yes. We have that same question.

CHAIRMAN CARACCILOLO:

Okay. Very good. Motion, second. All in favor? Opposed? Abstentions? Unanimous. **(Vote: 6•0•0•1. Legislator Montano not present)**

1116 (amending the 2005 Operating Budget and transferring funds to Brighter Tomorrows)

LEG. O'LEARY:

Motion to approve.

CHAIRMAN CARACCILOLO:

Second by Legislator Carpenter. All in favor? Opposed? Abstentions?
Unanimous. **(Vote: 6•0•0•1. Legislator Montano not present)**

LEG. LINDSAY:

Same thing, right.

LEG. O'LEARY:

Yes.

CHAIRMAN CARACCILOLO:

How much has been budgeted for Social Security? Jim, you could let me know after the meeting because I want to try to be on time.

1119 (amending the 2005 Operating Budget and transferring funds from the General Capital Reserve Fund for the purchase of radios for the Suffolk County Society for the Prevention of Cruelty to Animals)

LEG. CARPENTER:

Motion.

CHAIRMAN CARACCILOLO:

Motion by Legislator Carpenter, second by Legislator Alden. All in favor? Opposed? Abstentions? Approved. **(Vote: 6•0•0•1. Legislator Montano not present)**

1120 (amending the 2005 Operating Budget and creating 44 positions in the Department of Social Services and transferring funds to fill the positions effective July 1, 2005.) Motion by the Chair, second by Legislator O'Leary.

LEG. ALDEN:

To what?

CHAIRMAN CARACCILOLO:

To approve.

LEG. ALDEN:

Actually, I have a couple of questions on this.

CHAIRMAN CARACCILOLO:

This is highly aided and one of the •• I'm glad you brought to my attention •
•

LEG. LINDSAY:

Yeah.

CHAIRMAN CARACCILOLO:

How much of these new positions, Jim, are reimbursed through the state or federal aid? What's the net cost essentially?

MR. SPERO:

The gross cost annualized 13.6 million and the net cost •• let me make sure I'm picking up the right number here •• available aid is about 6.5 million. The net cost is about 7.2 million.

CHAIRMAN CARACCILOLO:

Okay.

LEG. LINDSAY:

Could I ask a question on that? Isn't there a cap on that aid?

MR. SPERO:

There is an administrative cap.

LEG. LINDSAY:

Are we up to that cap? After a certain amount, we don't get any additional aid; right?

MR. SPERO:

Yes. I don't think we've had a problem with that. But that could kick in.

LEG. LINDSAY:

Okay. Because a little research that I did, I was told that we're at the cap.

The other issue here is that we have so many vacant positions in Social Services now, to authorize any more vacant positions is just going to take what might be much needed revenue later on in the year to balance the budget and we're not going to spend anyway •• but it's allocated.

CHAIRMAN CARACCILOLO:

I think what I hear you saying, Legislator Lindsay, is that if this resolution's approved, the County Executive won't fill the positions.

LEG. LINDSAY:

I don't know that. But there's positions right there now that could be filled that are already funded. To add to the funded positions is going to tie up more money that we might desperately need later on in the year. And a lot of it, again, depends on the two budget offices reconciling the numbers to see where we are.

CHAIRMAN CARACCILOLO:

Would you like to comment, Ben?

MR. ZWIRN:

I think Legislator Lindsay laid it out exactly the way it is.

CHAIRMAN CARACCILOLO:

Do you know if the Executive will support this resolution?

MR. ZWIRN:

That I don't know. I think part of it will depend on ••

CHAIRMAN CARACCILOLO:

How many votes it gets.

MR. ZWIRN:

No, no, I think that's completely unfair. And knowing this County Executive,

you know that is also not true. I think he is reluctant ••

CHAIRMAN CARACCILOLO:

You have to have a little levity here, Ben.

MR. ZWIRN:

I'm trying to be •• well, I thought that was levity on my part. No, he's not supporting •• the 39 positions now that he's •• the SCIN forms are prepared and he's holding •• because this is paid with one one•shot. This is a Pay•As •You•Go money. And, again, this is going to be a recurring expense. And what he's concerned about right now because •• until these numbers are reconciled, we're not sure which way, you know, which way things are going in the County. There's certainly not •• it doesn't look like it's going to be a bright picture, it just depends on how bad it will be and how easy ••

LEG. CARPENTER:

Cloudy.

MR. ZWIRN:

•• it will be to address. So, he'd like to have the flexibility. You know, as the Budget Officer for the County, ultimately he has to make that final call. But he would prefer that these not get passed at this time. He'd rather be able to fill the positions. He did fill a number last year. I think he signed over 50 SCIN forms for DSS last year. And, as I say, yes, 39 •• I think that's what he said •• 39 that are pending right now.

CHAIRMAN CARACCILOLO:

Wouldn't a better weather metaphor be overcast?

LEG. CARPENTER:

Partly cloudy.

CHAIRMAN CARACCILOLO:

That's even better.

LEG. CARPENTER:

Partly sunny.

CHAIRMAN CARACCILOLO:

Yeah, partly sunny.

MR. ZWIRN:

Well, we'll know better in a day or so.

CHAIRMAN CARACCILOLO:

Okay.

LEG. ALDEN:

Question for Budget Review. 1120 is funded from what?

MR. SPERO:

The Pay•As•You•Go account.

LEG. ALDEN:

Well, you just testified before that there's X number of dollars in the Pay•As•You•Go. This leaves nothing in there, then; right?

MR. SPERO:

No. This resolution uses 1.1 million from the Pay•As•You•Go account. And ..

CHAIRMAN CARACCILOLO:

Earlier you gave numbers 13.6, 7.2.

MR. SPERO:

Well, we're not funding it this year for a full year. We're only funding it six months.

CHAIRMAN CARACCILOLO:

Okay. So, we're talking about for this year it's 1.2 million out of the Pay•As•You•Go account which has in excess of ll.

LEG. ALDEN:

From what period to what period?

MR. SPERO:

We're assuming it would start to be filled July 1st.

LEG. ALDEN:

So, it's not imperative for us to act on this today because •• before I asked AME members who came up and testified if they can give us a list of where they think the high priorities should be. And I think we owe it to them to allow them to go back and identify any of those positions that they might think that •• unless the sponsor of this bill has already done that and these are the prioritized positions for all of the County.

CHAIRMAN CARACCILOLO:

Would you like to make a motion to table?

LEG. ALDEN:

I'll make a motion to table.

LEG. LOSQUADRO:

Second.

CHAIRMAN CARACCILOLO:

We have a motion to table and a second. All in favor? Opposed? Abstentions? **It's tabled. (Vote: 6•0•0•1. Leg. Montano not present)**

1124 (amending the 2005 Operating Budget and transferring funds for pediatric capable automatic external defibrillators) Motion by Legislator Carpenter, second by the Chair. All in favor? Opposed? Abstentions?

LEG. LINDSAY:

I know, it's getting repetative. I hate this.

CHAIRMAN CARACCILOLO:

Maybe you should just submit your questions beforehand.

LEG. LINDSAY:

Is that the procedure you would like to use, Mr. Chairman?

CHAIRMAN CARACCILOLO:

It works for me.

LEG. CARPENTER:

And this originally was a request from the department because the defibrillators they had were not pediatric capable. And with Budget Review, they worked for the department on this so I would assume the offset is good.

LEG. LINDSAY:

Well, again the question is police overtime. Do we want to start tapping into that fund early in this year?

CHAIRMAN CARACCILOLO:

Bill, hopefully between the next committee cycle we can get to some hard core numbers and reach some agreement. Mr. Zwirn has volunteered to provide us with a list of what he in the executive branch thinks are good bonafide eligible offsets. So, that would be making some significant progress going forward.

LEG. LINDSAY:

Right.

CHAIRMAN CARACCILOLO:

Okay. Motion, second. All in favor? Opposed? Abstentions? Approved.

LEG. LINDSAY:

I'm opposed to it.

CHAIRMAN CARACCILOLO:

You're opposed?

LEG. LINDSAY:

Yeah, because I want to see what the numbers are.

CHAIRMAN CARACCILOLO:

Your opposition is duly noted. **(Vote: 5•1•0•1. Legislator Montano not present. Legislator Lindsay opposed)**

1125 (amending the 2005 Operating Budget to transfer funds from the Suffolk County Water Protection Fund (477) Reserve Fund to the Town of Southamptton for restoration of hard clam population in Quantuck Bay)

Motion to table by Legislator O'Leary, second by Legislator Losquadro. All in favor? Opposed? Abstentions? Tabled. **(Vote: 6•0•0•1. Legislator Montano not present).**

1129 (amending the 2005 Operating Budget to streamline and consolidate County government by eliminating the proposed separate Department of Environment and Energy) Motion to approve. Second by ••

LEG. O'LEARY:

Motion to table.

CHAIRMAN CARACCILOLO:

Motion to table. Second by Legislator Carpenter. All in favor? Opposed? Abstentions? Tabled. **(Vote: 6•0•0•1. Legislator Montano not present)**

1138 (transferring contingent funding for various contract agencies)

LEG. O'LEARY:

Motion to approve.

CHAIRMAN CARACCILOLO:

Motion to approve by Legislator O'Leary, second by Legislator Alden. All in favor? Opposed? Abstentions? Approved. **(Vote: 6•0•0•1. Legislator Montano not present)**

1139 (amending the 2005 Operating Budget and transferring funds to various agencies) Same motion, same second. All in favor? Opposed? Abstentions? Approved. **(Vote: 6•0•0•1. Legislator Montano not present)**

1140 (repealing an unfair home heating fuel nuisance tax on suffolk county homeowners) Same motion, same second •• no, no. I was getting ahead of myself.

LEG. O'LEARY:

Motion to table.

CHAIRMAN CARACCILOLO:

Deputy County Attorney was getting nervous. Motion to table, second. All in favor? Opposed? Abstentions?

LEG. ALDEN:

Opposed.

CHAIRMAN CARACCILOLO:

One opposed. **(Vote: 5•1•0•1. Legislator Montano not present. Legislator Alden opposed.)**

1170 (to readjust, compromise and grant refunds and chargebacks on correction or errors/County Treasurer by County Legislature #184) Motion to approve by Legislator Carpenter.

LEG. O'LEARY:

Second.

CHAIRMAN CARACCILOLO:

Second by Legislator O'Leary. All in favor? Opposed? Abstentions? **(Approved. Vote: 6•0•0•1. Legislator Montano not present)**

Same motion, same second, same vote on **1171 (to readjust,**

compromise and grant refunds and chargebacks on correction or errors/County Treasurer by County Legislature #207) (Approved. Vote: 6•0•0•1. Legislator Montano not present)

1172 (to readjust, compromise and grant refunds and chargebacks on correction or errors/County Treasurer by County Legislature #208) is before us. Same motion, same second, same vote. (Approved. Vote: 6•0•0•1. Legislator Montano not present)

1174 (amending the 2005 Operating Budget and transferring funds from the General Capital Reserve Fund to appropriate funds for the Community College Tuition Assistance Program for volunteer ambulance).

LEG. LINDSAY:

I don't have any directions from the sponsor.

LEG. O'LEARY:

Motion to table.

CHAIRMAN CARACCILOLO:

Motion to table by Legislator O'Leary, second by the Chair. All in favor? Opposed? Abstained? It is tabled. **(Vote: 6•0•0•1. Legislator Montano not present)**

1176 (amending the 2005 Operating Budget and transferring funds for the observance of Memorial Day for national cemeteries and other cemeteries in Suffolk County)

LEG. O'LEARY:

Motion to approve.

CHAIRMAN CARACCILOLO:

Motion to approve, second by Legislator Losquadro, made by Legislator O'Leary. All in favor? Opposed? Abstentions? Approved. **(Vote: 6•0•0•1. Legislator Montano not present)**

LEG. LOSQUADRO:

Madam Clerk, am I listed on that as a co•sponsor on that as well? If I am not, please add me.

CHAIRMAN CARACCILOLO:

Same here.

LEG. O'LEARY:

Same here.

MS. SULLIVAN:

List all of you?

CHAIRMAN CARACCILOLO:

Yes, the Committee.

1177 (amending the 2005 Operating Budget and transferring funds from the General Capital Reserve Fund to the Suffolk County Department of Planning for a study of the effects of the Duck Farming Industry on Long Island) Do we have a motion?

LEG. O'LEARY:

Motion to approve.

CHAIRMAN CARACCILOLO:

Second by the Chair.

MR. ZWIRN:

On the motion.

CHAIRMAN CARACCILOLO:

On the motion.

MR. ZWIRN:

Mr. Chair?

CHAIRMAN CARACCILOLO:

Yes.

MR. ZWIRN:

There is a bill on the floor. This is taking, I believe, Pay•As•You•Go money to pay for the study. There is •• I mean I don't know if we're going to get the money; the federal money at this stage anyway. But there is a motion already •• there's a resolution on the floor that was tabled with 477 money. As you're well aware, this did go through the Committee at the request of the Legislature.

CHAIRMAN CARACCILOLO:

Correct.

MR. ZWIRN:

And was approved. So we would prefer to have that funding come out of ••

CHAIRMAN CARACCILOLO:

I think the intention here was to get both to the floor and take it from there. So, we have a motion, a second. All in favor? Opposed? All in favor. Jim, do you have a••

MR. SPERO:

The County Attorney notified us there's a •• the SEQRA clause has to be changed on the resolution.

CHAIRMAN CARACCILOLO:

Counsel?

MS. KNAPP:

The sections of the SEQRA regulations that were quoted were indeed correct. There was what I would call a typographical error in that Budget Review used language about a fence that had no relation to the resolution. The sections quoted, though, were indeed correct. It's entirely up to this body.

CHAIRMAN CARACCILO:

All right. Committee, we have a motion, a second. All in favor? Opposed? Abstention? Approved. **(Vote: 6•0•0•1. Legislator Montano not present)**

That concludes the business before the Committee. We stand adjourned until the 22nd. Thank you.

(THE MEETING CONCLUDED AT 11:34 AM)

Denotes spelled phonetically